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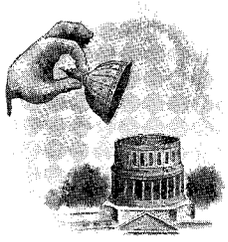
FROM WASHINGTON

Swear to God

To the House managers, the impeachment of William Jefferson Clinton is, at bottom, about the sanctity of oaths. One of the most dramatic and effective moments in their presentation to the Senate came on January 16, when Henry Hyde issued this emotion-rich peroration: "An oath is asking almighty God to witness to the truth of what you are saying. Truth-telling is the heart and soul of our justice system.... Violating one's oath is to do grave damage to the rule of law among us."



Compelling words—until you consider the fact that, on the first day of the trial, each senator raised his or her right hand and answered "I do" to the following question: "Do you solemnly swear that in all things appertaining to the trial of the impeachment of William Jefferson Clinton, president of the United States, now pending, you will do impartial justice according to the Constitution and laws, so help you God?" At best, this was a sincere statement of intent, not a literal promise. In the real world, each senator belongs to a political party with a deep interest in the outcome of the case. Indeed, several Democrats have already declared that the president should be acquitted. Senator Tom Harkin has called the House case "a pile of dung." Newly elected Senator Charles Schumer actually voted against the articles of impeachment as a member of the House.

The symbolic nature of the Senators' oath becomes more evident when you consider what would have happened to most of them if this really were an ordinary civil or criminal case. If you think of the Senate as a jury, then the Senators' political affiliations alone would have been enough to disqualify them. Or, if you prefer to consider the Senate as more like a panel of 100 judges, then many, if not most, would have recused themselves from the case—not only for political reasons but also for their close personal connections to the parties in the case. Republican Senator Tim Hutchinson, for example, is the brother of House Manager Asa Hutchinson. When Democratic Senator Charles Robb listens to White House Counsel Charles Ruff, he is listening to a man who, in a past role as a private defense attorney, helped Robb avert a federal indictment on charges of obstruction of justice and conspiracy to violate wiretap laws. Presidential defender Greg Craig is a former member of Senator Ted Kennedy's staff; he also guided the senator through his testimony in the rape trial of his nephew, William Kennedy Smith (whom Craig helped resolve an assault-and-battery charge). Barbara Boxer sits in judgment of an in-law. In fact, the White House added former Senator Dale Bumpers to its defense team precisely *because* of his ties to members of this "court."

Does this mean that the impeachment trial is a sham? Should we prepare to put Tom Harkin and Charles Schumer on trial as soon as we're done with Bill Clinton? Of course not. It is simply another reason why the impeachment of a president is not, and never could be, a purely legal proceeding. It is a political battle fought among a relatively small group of people, all of

continued on page 41

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THE NEW REPUBLIC

A Weekly Journal of Opinion

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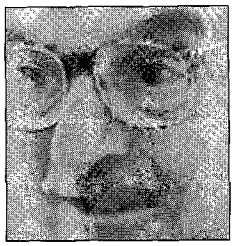

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CORRESPONDENCE

Tax burdens

To the editors:
Peter Beinart does a disservice to your readers when he cites increases in spending for, say, corrections and education by Michigan Governor John Engler without mentioning that this same governor engineered 24 tax cuts for a savings of $11 billion for Michigan taxpayers ("Republican Heartthrobs," December 28, 1998). It is possible to slice a shrinking pie in different ways.

G. TRACY MEHAN III
Department of Environmental Quality
Lansing, Michigan

Peter Beinart replies:
My article clearly acknowledged that the governors I profiled have cut taxes, sometimes substantially. It criticized governors like Engler for not fulfilling conservatism's harder agenda—cutting popular middle-class spending like education and corrections.

Reasonable doubts

To the editors:
Your editorial "Against Impeachment" cites opinion polls opposing impeachment and argues that impeachment would surrender the field to the Christian right (December 28, 1998). Sound reasons. But even better ones are that the charge that the president lied under oath has not been proved beyond a reasonable doubt, that the president's domestic and foreign successes greatly outweigh the sin of lying about sex between consenting adults, and that Starr's invasions of privacy and prosecutorial excesses threaten the nation far more than deceptions perpetrated by Clinton to hide his philandering.

STEVEN RICHMAN
Washington, Pennsylvania

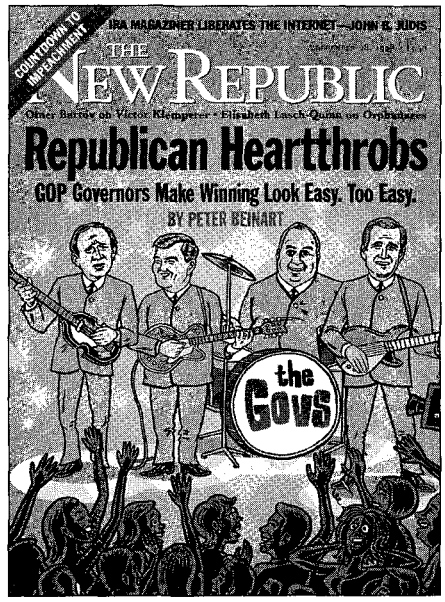
To the editors:
In "Against Impeachment," TNR's editorial staff lets its political bias run away with its sense of civility and perspective. The piece's conservative-bashing key sentence, characterizing "this weird moment in American history," disappoints with its insulting, divisive rhetoric. An enlightened cultural conservatism that seeks to illuminate, propound, and preserve the best of our civilization may be the most direct way out of our current "tawdriness." The weight of sound judgment counts for more than poll numbers: Leadership means exercising wisdom and courage, not counting noses.

HARVEY GORDON
Kalamazoo, Michigan

To the editors:
Bill Clinton's flesh may be weak, but his concern for people will give his presidency moral stature long after the firestorm of pietistic cant has burned itself out, leaving a shriveled ash of footnotes littering the chronicles of the future.

STUART J. SILVERMAN
Hot Springs, Arkansas

To the editors:
You write that "Bill Clinton's most grievous sins were committed against his family and against basic notions of


COUNTDOWN TO IMPEACHMENT
IRA MAGAZINER LIBERATES THE INTERNET—JOHN B. JUDIS
THE NEW REPUBLIC
Republican Heartthrobs
GOP Governors Make Winning Look Easy. Too Easy.
BY PETER BEINART
the Govs

decency—not against the underpinnings of the constitutional system."

I understand that the Constitution was created with the understanding that men aren't angels. But that proposition doesn't mean—it can't mean—that the Constitution can function in a society that is totally indifferent to virtue. The idea that "basic notions of decency" aren't "underpinnings of the constitutional system" is frightening.

ERIK M. JENSEN
Cleveland, Ohio

To the editors:
I am shocked and dismayed by your attitude toward Bill Clinton as expressed in your editorial "Against Impeachment." The incessant and in-depth probing into his life has shown him to be a basically decent human with some frailties. He has also been a good and intelligent president.

A. SHELDON-GELBURD
Chattanooga, Tennessee

No cover-up

To the editors:
Charles Lane questions "whether lying under oath, and to the American people, for the purpose of covering up an illicit sexual affair" is impeachable ("In Good Hands," December 28, 1998). But Clinton didn't lie to "cover up" an embarrassing affair; he lied to mislead a court and prospective jury as a defendant in a personal lawsuit in which the plaintiff (Paula Jones) was properly trying to establish a "pattern of conduct" (i.e., a history of recurring attempts of sexual impositions upon numerous females). Such lies as these deny justice in our courts of law, and that's why perjury is illegal. This is the reason why Clinton is in trouble.

THOMAS M. ASHER
Studio City, California

Above average

To the editors:
Jay Mathews is the latest pundit to take a shot at educational reform ("Averaged Out," December 28, 1998). His quick fix: Open advanced placement courses to all takers, something those hopeless dullards who have worked with high school kids for a lifetime have somehow managed to miss. A patchwork of anecdotal evidence supports his proposition. My own patchwork is based on three decades of experience in secondary schools—including teaching A.P./honors courses—and a fourth as a college adjunct in both education and history.

Mathews does not understand what makes so many A.P. courses function on such an extraordinary level—namely, the classroom chemistry created by raw talent, rare intellectual maturity, competitive juices, and commensurate sophisticated teaching. In the egalitarian '60s, we discovered that, when we opened up A.P. and honors sections, a line was crossed at some point and suddenly we no longer had an advanced placement culture.

WILLIAM W. GOETZ
Bedminster, New Jersey

Child care

To the editors:
Elisabeth Lasch-Quinn's review of Timothy A. Hacsi's *Second Home: Orphan Asylums and Poor Families in America* confines itself largely to discussion of the relative merits of foster care versus orphanages ("The Kindness of Strangers," December 28, 1998). So it's not surprising that she finds little cause for hope.

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But so limited a discussion leaves out the most hopeful development in child welfare in decades and, ironically, the one now most under siege: *not* taking children away from their birth parents in the first place.

For more than 20 years, Intensive Family Preservation Services (IFPS) programs have safely kept together tens of thousands of families in cases in which a child-protective service was on the verge of taking the children away. IFPS services combine traditional counseling and parent education with concrete services to ameliorate the worst effects of poverty. Unfortunately, the success of IFPS is largely an untold story.

In her review, Lasch-Quinn cites the work of Joseph Goldstein, Albert J. Solnit, Sonya Goldstein, and the late Anna Freud. As Lasch-Quinn points out, they call for a much higher threshold than that commonly used today before the state intervenes coercively into families. They also suggest that those who intervene recognize that both intervening and failing to intervene can cause harm and that all decisions should be based on "the least detrimental alternative." For many, many families, that alternative is family preservation.

ANNE D. LOPIANO
Executive Director
National Family Preservation Network
Laurel, Maryland

To the editors:

Elisabeth Lasch-Quinn argues that needed qualities are lacking in foster care and that "healthy" families do not offer their homes often enough to provide this crucial social service to our neediest children. But this can easily be overcome, at a cost far less than the institutional alternatives she discusses, by offering enough compensation to attract a broad oversupply of families willing to take in these troubled children.

If we can encourage as many suitable families to offer their services as is the case with infants available for adoption, all of these foster children will benefit immensely by exposure to a strong family environment and its supportive web.

THOMAS O'BRIEN
Horizon Institute for Policy Solutions
Charlottesville, Virginia

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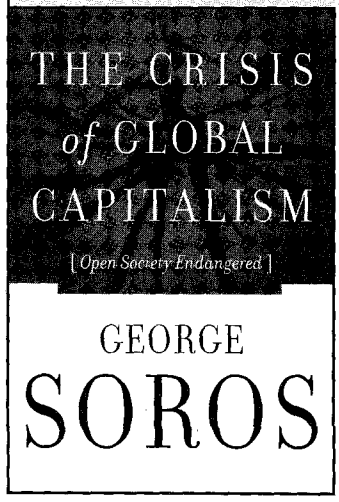

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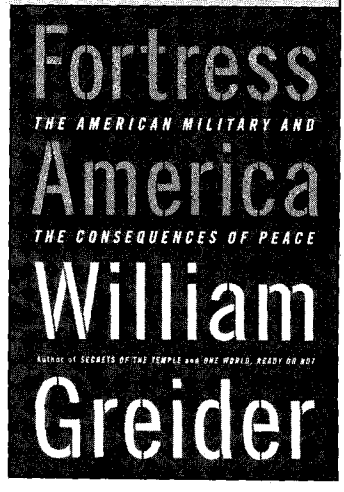

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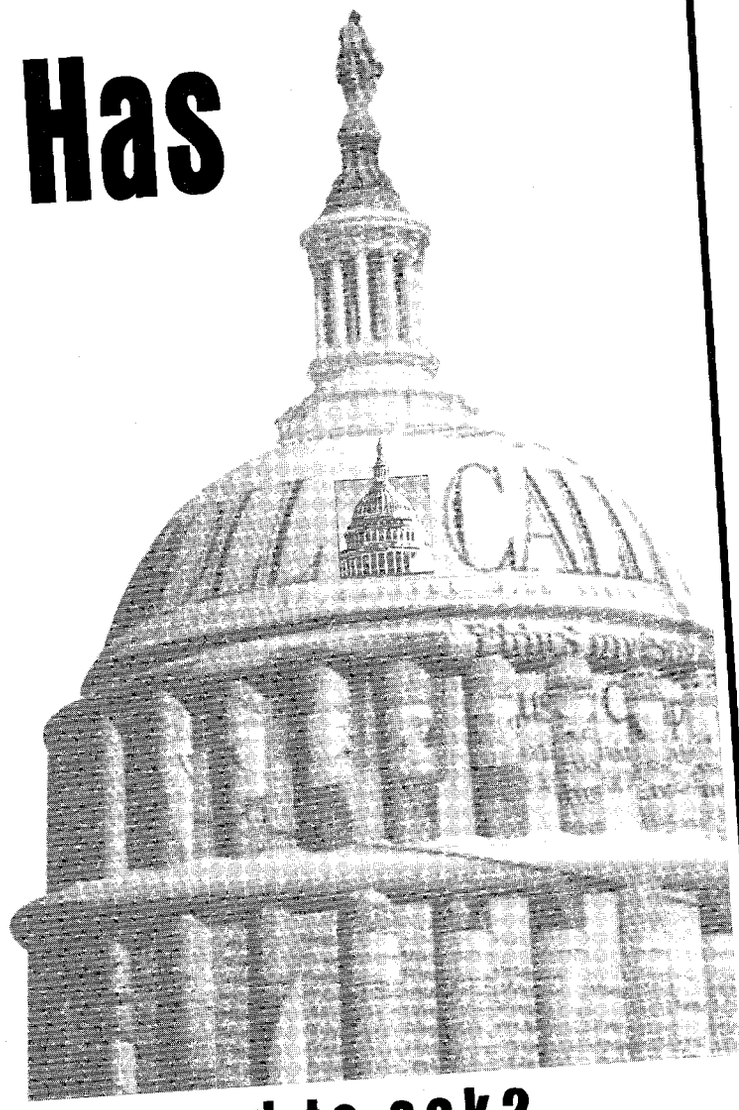

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THE NEW REPUBLIC

FEBRUARY 8, 1999

SOUND INVESTMENT

For the most part, Bill Clinton's State of the Union address, delivered in the shadow of the Senate impeachment trial, was yet another annual exercise in empty feel-good politics. In an hour and 17 minutes, Clinton offered something for everybody, even a guest appearance by Sammy Sosa for the baseball fans in the television audience. If last year's menu of policy proposals—remember the giant cigarette tax increase that Congress argued about for months and then didn't pass?—is any indication, none of the president's focus-group-tested ideas will ever become law. We hope, though, that there will be one exception: the White House's genuinely interesting proposal to shore up Social Security.

Although highly popular and extraordinarily successful at eliminating poverty among the elderly, in 2012 or so Social Security will hit a turning point, thanks to the impending retirement of the massive baby-boom generation. This flood of new retirees will cause Social Security to spend more in benefits than it collects in taxes, eating up the surplus that has been accumulating in the Social Security trust fund. Finally, around 2030, the trust fund's surplus will no longer be able to pay its full obligations.

For years, politicians from both parties have ducked this problem because they assumed, correctly, that solving it meant imposing pain on the public, in the form of higher payroll taxes or lower benefits. But the current budget surplus has opened the door to a different, more politically palatable solution: plowing the surplus back into the trust fund and investing the money in the stock market so the trust fund will grow much faster than it does under current law, which permits investment only in low-yield Treasury bills.

The big question is not whether to put the money into stocks, but how. Conservatives want "privatization"—meaning the conversion of Social Security into a system of individually held investment accounts, much like IRAs, which each person would then invest as he, or, more likely, his broker, decided. The idea of letting every American manage his or her own Social Security account has some intuitive appeal, but it is too risky. Individuals who happen to invest poorly might end up losing out at retirement. More important, privatization would imperil Social Security's ability to transfer money from well-off retirees to struggling ones and to subsidize retirement for the injured and the destitute. In other words, under privatization, Social Security would cease to be social insurance—which was the whole point of the program in the first place.

President Clinton, heeding the advice of sober minds such as Henry Aaron and Robert Reischauer of the Brookings Institution, has chosen an alternative course. Under the Clinton plan, the government itself would invest a small portion of the trust fund in the market via privately managed mutual funds. The massive size of the trust fund would mean individuals' retirement benefits wouldn't suffer even during short-term market downturns. And, by allocating the trust fund among a small number of investment vehicles, the government would save society the fees that would have been charged by the investment advisers who would have been churning everyone's privatized accounts under some schemes. What's more, by using the budget surplus, which is partly the product of progressively collected income taxes, to shore up Social Security, Clinton would partially answer one of the long-standing and valid criticisms of the program—namely, that it relies too heavily on the payroll tax, which is regressive.

Republicans warn that government control over such a huge portion of the private stock market would undermine the free enterprise system. As House Ways and Means Committee Chairman Bill Archer puts it: "If you thought a government takeover of health care was bad, just wait until the government becomes an owner of America's private-sector companies." Don't be alarmed. State and federal pension funds now routinely invest in private stocks, and we still have the freest capitalist system in the industrialized world. What's more, the Clinton plan would limit government's stake in the market to a modest four percent of the nation's private holdings.

Although Federal Reserve Chairman Alan Greenspan has joined the chorus of naysayers who warn about likely political manipulation of the fund, he of all people should know that it's quite possible to create a government board that has great power over the private economy but is still insulated from political influence. Indeed, this is precisely what the administration plans to create. That, plus new laws prohibiting the trust fund managers from exercising shareholder vot-

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ing power, should keep the economy safe.

A more credible objection is that, revolutionary as it would be, Clinton's plan is still too timid. Clinton's advisers claim his plan would keep the system solvent for 55 years, which is 20 years less than the goal. Additional steps, such as raising the retirement age or reducing the inflation adjustment of benefits, would have extended the trust fund's life even further, but Clinton shied away from asking for even that modest level of sacrifice, at least for now.

Still, Clinton did promise to negotiate with Congress over how to extend the system's solvency further. And guaranteeing Social Security for 50 years would be a significant accomplishment in itself. As always, there's plenty of room for bipartisan compromise and accommodation in the Clinton plan. (As a gesture to privatization advocates, Clinton even offered to augment his plan with a separate set of government-subsidized IRAs for low- and middle-income persons.) The Republicans should take the president up on it—just as soon as they're done trying to impeach him. •

NOTEBOOK

THE VAMPIRE CHRONICLE: Is the news from the kingdom of Slobodan Milosevic shocking or stupefying? Another savage slaughter has occurred in another ravine in Kosovo, where more than 45 people from the village of Racak were rounded up, murdered, and mutilated by Serbian forces. The community of the victims, the Albanians who constitute the majority of the population, has been further radicalized. NATO is condemning the atrocity but is reluctant to consider the use of force; it is pouring brandy and seeking a compromise. The 700 unarmed "monitors" of the Organization for Security and Cooperation in Europe, who were installed in Kosovo last fall pursuant to a flimsy agreement between Slobodan Milosevic and Richard Holbrooke, are looking more and more like hostages: only the blue helmets are missing. Milosevic is defying the West, which is his hobby and his livelihood. He has expelled William Walker, the American diplomat who heads the hapless monitors. The sense of *déja*-ness is overwhelming. There is grim talk of air strikes, but does anybody take this seriously? This is typical Milosevic: a manufactured crisis which he alone can "solve." Of course, all Milosevic has to do is rescind the expulsion of Walker—an essentially meaningless concession on an essentially peripheral issue—and everybody can breathe a sigh of relief at the conclusion of the crisis; and the killing can proceed.

PACK OF RACE CARDS: It's been a rough month for the legacy of Martin Luther King Jr. First, we had to endure the Republican House managers' repeated characterization of the Paula Jones lawsuit as a "civil rights" case. This galling line of argument included South Carolinian Lindsey Graham's inane reminiscences about his days as a "child of the South" who grew to appreciate the civil rights revolution despite his parents' doubts, followed by the preposterous presentation by Steven Buyer of Indiana, who asked "which of our civil rights laws will fall next" if Bill Clinton is acquitted. The president's defense team should have left this absurd line of argument alone. But the White House couldn't resist trotting out Cheryl Mills, the lone African American woman to address the Senate, to vouch for the fact that she's "not worried" about a continued Clinton presidency's impact on civil rights. (We were also treated to the bizarrely irrelevant biography of presidential attorney Greg Craig, who seemed to think the fact that he was from Vermont, "the fourteenth state," would help rebut some of the patriotic solipsism served up by the managers.) Amid all the mawkishness in the Senate trial, few noticed the most inappropriate invocation of the spirit of civil rights—which came, alas, at an Atlanta celebration of the King holiday led by the great martyr's widow, Coretta Scott King. She took the occasion to observe that "there is still too much demonizing of enemies, as is evident in the United States' relationship with Cuba and Iraq." It's true that Fidel Castro and Saddam Hussein spend far too much time demonizing the United States, but somehow we don't think that's what Mrs. King meant to say.

MORE SLACK FOR IRAQ: To be sure, even the United States government has been acting as if it has been too hard on Iraq lately. Or so one might surmise from the new Clinton administration policy, announced by Vice President Gore on January 13, according to which Iraq would be permitted to export an unlimited amount of petroleum under the United Nations oil-for-food exception to the U.N. sanctions regime. This proposal was designed to head off an even more lenient idea emanating from—where else?—France, under which Iraq could use oil revenues to buy anything it wanted except for weapons (as if Saddam Hussein could be trusted to abide by such a codicil). The U.S. plan is also designed to blunt anti-Americanism in the Arab world and thus make life easier for pro-Western regimes such as Egypt and Saudi Arabia. So, as we understand it, U.S. policy is to appease the moderate Arabs by appeasing Iraq a little bit so that France can't appease Iraq even more. As matters stand, however, Iraq lacks the productive capability to export the amount of oil that it is currently permitted to sell under oil-for-food, so the new U.S. plan is basically just symbolic—unless the United States also intends to let Iraq import more oil-drilling equipment. Saddam is withholding aid to his population so as to increase the spectacle of suffering and to pressure the United States into just such a concession, which would open the door to smuggling of arms or other dangerous technology disguised as oil-related imports. Furthermore, Iraq is playing this game even as it smuggles as much as 100,000 barrels per day outside all U.N. scrutiny. At a minimum, the United States should refuse

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to let Iraq import what it needs to expand oil production until the smuggling stops. And, if Saddam says no, then it will be his fault if his people continue to suffer.

OBJECT LESSON: Here are samplings of President Clinton's bold positions on education policy, taken from his State of the Union address: "No child should graduate from high school with a diploma he or she can't read." "All states and school districts must turn around their worst performing schools or shut them down." "All teachers should know the subjects they're teaching." "We must empower parents with more information . . . on the quality of the local schools." Finally, "we should say that all states and school districts must both adopt and implement sensible discipline policies." Find anything to disagree with? Neither did we. But that's the problem: the only thing bold about Clinton's education proposals is how brazenly he attempted to package these bromides as serious policy. These words won't change anything because the president was only asking states and local governments to do all the things they should already be doing. If they haven't done them by now, a few extra dollars in federal incentive money will not induce them to. (Remember, federal money accounts for about ten percent of total school funding, anyway.) We have a better solution: require states to allow students whose public schools *(a)* allow them to graduate illiterate, *(b)* are the "worst performing" in a state, *(c)* fail to train teachers, *(d)* don't report basic performance information, or *(e)* can't maintain a healthy learning environment through appropriate discipline to take their shares of the district's per-pupil spending and run to better public schools. In short, use federal legislation to promote competition and choice within public education instead of using the federal pulpit for empty rhetoric. •

ON THE HILL

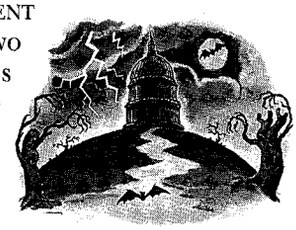
HARKIN BACK

By Ryan Lizza

Poor Bob Barr. There he was, standing in the well of the United States Senate, delivering a forceful summary of the evidence against President Clinton. People had laughed when Barr first called for an impeachment inquiry, back in 1997, long before anybody had heard of Monica Lewinsky. But none of that mattered now. Barr was more than an hour into his speech, approaching the fiery climax where he would liken Bill Clinton's sex lies to "insidious cancers that eat at the heart of our system of government and laws."

And then Senator Tom Harkin struck. "Mr. Chief Justice," the white-haired Democrat from Iowa interjected, addressing Chief Justice William Rehnquist, "I object to the use and the continued use of the word 'jurors' when referring to the Senate sitting as triers."

It was the trial's first objection, instant news. The wire services issued screaming headlines ("URGENT: SENATOR OBJECTS TO CLINTON IMPEACHMENT TRIAL" read one); less than two hours later, Harkin led ABC's "World News Tonight," where Jackie Judd breathlessly reported "the first unscripted moment of these proceedings." (The Associated Press, Knight Ridder, and *The Washington Times* used the same phrase.) Harkin's objection dominated "Crossfire"; it fed the cable-news beast from "Hardball" to "Hockenberry" to "Geraldo."



The event, of course, was hardly "unscripted." Although Barr had called the senators "jurors" or "jury" eleven times in his speech, it wasn't until the twelfth mention that Harkin rose to read his prepared remarks laying out his disapproval of the term. Harkin, like everyone else in the Senate, had a copy of Barr's prepared remarks; his objection was carefully timed to make nonsense out of the final minutes of Barr's speech—which depended heavily on calling the Senate a jury. Harkin also just happened to raise his objection at the precise moment when it would be guaranteed to lead the evening news.

Also, Harkin knew that he had a sympathetic judge in Rehnquist. In his book on impeachment, *Grand Inquests*, and in the case of *Walter L. Nixon* v. *United States*, the only impeachment case ever taken up by the Supreme Court, Rehnquist had hinted strongly that he, too, thinks senators are not simply jurors when they sit in impeachment cases. Sure enough, Rehnquist sustained the objection, forcing Barr to drop the word "jury" from the rest of his oration in favor of the clunky phrase "triers of fact and law."

Harkin's skillful ploy hardly turned the tide of the trial, but it was significant as an indicator of how the impeachment process is reshaping the broader political landscape. Ever since Harkin's brief and unsuccessful run for the presidency in 1992, he had been practically anonymous—an unreconstructed left-wing relic in a Washington dominated by a Republican Congress and a Clintonian Democratic White House. But, just as the liberal House Democratic delegation rallied around the president, so have Senate lefties like Harkin, Barbara Boxer of California, and Chuck Schumer of New York put themselves forward as the president's fiercest defenders. As a result, the party's center of gravity is shifting leftward, and the influence of figures like Harkin is growing.

For Harkin, partisan combat for the Democratic Party has been a way of life. As a teenager, he worked tirelessly to round up votes for Democratic congressional hopefuls in his overwhelmingly Republican state. As a presidential candidate in 1992, when he ran as the authen-

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tically liberal alternative to Clinton, Harkin attacked Clinton's evasiveness on Gennifer Flowers and the draft, yet quickly endorsed and vigorously campaigned for Clinton once he seemed like the party's best shot at the White House. And, in 1994, when Clinton put forth a health care plan that subsidized private insurance rather than creating a government-run program as Harkin wanted, Harkin took up the cause anyway—and fought to salvage it even after most Democrats gave up.

Harkin doesn't only see no sacrifice of liberal principle in backing a moderate Democratic president when that president is being attacked by right-wing Republicans. For Harkin, known for his occasionally caustic behavior behind the political scenes, setting an ambush for a guy like Bob Barr is an act of pure partisan joy.

It is also an act of political calculation. And, if the State of the Union address is any indicator, the Harkin wing of the party has indeed succeeded in putting Clinton in its debt. Clinton's potpourri of proposals had something for everybody. But, on the key issues, particularly Social Security, Clinton leaned decidedly to the left, taking up its proposals practically to the letter. Afterward, a clearly pleased Harkin pronounced Clinton's policies a "bold, progressive program to move America into the twenty-first century."

Of course, Republicans could use Clinton's impeachment-season alliance with the party's left wing to paint him once again as a liberal extremist (after they're finished painting him as a perjurer). Already, conservatives have begun to attack the president over precisely that point. But it is because of partisans like Harkin that the president's job still seems secure, and it's a safe bet Clinton will find even more ways to reward that devotion. The question is whether that is actually in the long-term interest of the party Harkin so loyally serves. •

If only Congress could be truly partisan.

THE NIHILISTS

By David Grann

Since the bipartisan truce between Senate Democrats and Republicans began to break down, gloom has spread further through the capital with each day. In an emergency session of the Senate earlier this month, Senator Robert Byrd of West Virginia warned his colleagues that they were "teetering" on the edge of the same "black pit of partisan self-indulgence" that consumed the House of Representatives. A few hours later, Christian, Muslim, and Jewish groups held an urgent news conference outside the Capitol to call for intraparty peace. One Muslim leader, Azizah Y. Al-Hibri, suggested that "Satan" was sowing dissension among us. The next week, the Senate chaplain took to the floor and prayed for "nonpartisan patriotism." "The level of partisanship in the Congress," fretted former Arkansas Senator Dale Bumpers, "is unquestionably at the highest level in the history of this country." He then signed up to fight for one side in the current battle, as an advocate for the president's side in the impeachment trial.

Yet the real problem with politics today is not that there is too much partisanship. It is that there is no genuine partisanship. Whereas partisans once fought ruthlessly for the power to achieve the ideological goals that they truly believed in, the new nihilistic partisans are abandoning almost everything they believe in merely to obtain power for power's sake.

Though there has always been hypocrisy in politics, until now partisanship derived primarily from the clash of competing sets of ideas and values: the size of government, for instance, or the breadth of civil rights. You could usually determine where Democrats or Republicans stood on an issue not just because they were reflexively loyal to a particular party or person but because deep down they shared a particular set of principles.

This form of partisanship produced some of the fiercest clashes of our time: the great debates over slavery between Stephen Douglas and Abraham Lincoln, Woodrow Wilson's feud with Congress over the League of Nations, and, more recently, the 1991 fight over whether to wage war in the Persian Gulf. Such partisanship is "the basis of our whole system," says Larry Sabato, a professor of government at the University of Virginia. "It allows us to bring some order out of chaos."

But there has always been another form of partisanship, which frightened George Washington so much he condemned it in his farewell address and which many people have confused with today's emptier politics. In this second form of partisanship, the ends justified the means. During the era of the Founding Fathers, for instance, the anti-Federalists resorted to the politics of personal destruction in their crusade against a central bank. They exploited rumors in the press that their chief nemesis, Alexander Hamilton, had dipped into Treasury funds to cover up an adulterous affair. ("It's not about sex! It's about embezzlement!") The Federalists, in turn, accused Thomas Jefferson of keeping a slave as "his concubine" (true) and seducing his neighbor's wife (also true).

Before he died in a duel defending his honor, Hamilton attacked this kind of immoral partisanship in a 28,000-word pamphlet: "A principal engine, by which this spirit endeavours to accomplish its purposes, is that of calumny. It is essential to its success that the influence of men of upright principles ... shall be at all events destroyed. Not content with traducing their best efforts for the public good ... the most direct falsehoods are invented and propagated, with undaunted effrontery and unrelenting perseverance."

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But, even in the case of these attacks, there was still some underlying substantive issue—the power of the central government or freedom for blacks. Even the impeachment of Andrew Johnson, the so-called low point of American partisanship, derived from a battle over Reconstruction and black liberties in the South. "The fuel of these fights was almost always philosophical or ideological," says Senate historian Richard Baker, no matter how ugly they became.

The 1980s version of this type of partisanship came to be known as "Borking" after liberals successfully vilified the conservative Supreme Court nominee Robert Bork. (During the debate, one hysterical Planned Parenthood ad charged that, under Bork, "states could ... impose family quotas for population purposes, make abortion a crime, or sterilize anyone they choose.") As partisans from both sides mastered the art of Borking, they began using it against almost anyone: Clarence Thomas, Caspar Weinberger, Joycelyn Elders. For the first time, no one seemed safe—not even an assistant to the assistant secretary or an ambassador to Belgium. "Perhaps our politics has begun to emulate certain venerable laws of economics so that, in the manner of Sir Thomas Gresham's law of monetary value, bad partisanship has driven good partisanship out of circulation," Ross K. Baker, a political scientist from Rutgers University, wrote ruefully in a recent op-ed in the *Los Angeles Times*.

But, even in these cases, there was at least a whiff of ideology or a hint of principle. In the Iran-Contra affair, the closest predecessor to Bimbroglio (Independent Counsel Lawrence Walsh's investigation lasted six and a half years and cost more than $47 million), there remained at the heart of the scandal a larger philosophical struggle over national security, the cold war, and terrorism. In the now-infamous Thomas hearings, there was also still at heart a fundamental fight over conservatism and liberalism, over the scope of government and civil rights laws—not just whether or not Thomas talked about pubic hairs on a Coke can.

But now we have entered what appears to be a third stage of partisanship: nihilism. In this stage, there is no longer even a trace of a political philosophy underpinning partisan attacks. Just the opposite. As the ideological differences between the two parties have blurred under Clinton, both parties have completely abandoned their supposed principles. Democrats who once championed the sexual harassment and independent counsel laws now try to junk them in this case. Republicans who once valued the prerogatives of executive power now unblinkingly subvert it. The parties recognize this about their enemies but not themselves. "The feminists stand exposed," Noemie Emery harrumphed in *The Weekly Standard*, ignoring the peculiar fact that Republicans are suddenly championing the most expansive interpretation of sexual harassment law. "The only word that comes to mind is hypocrite," groused liberal California Congresswoman Maxine Waters about one of her conservative colleagues during the impeachment vote, ignoring her own flip-flops on sexual harassment.

In the new politics, we are all hypocrites now. The irony, of course, is that there are real substantive issues at stake in the current scandal: the protection of privacy, the scope of sexual harassment law, the separation of powers, and the accountability of the independent counsel. If politicians took genuine stands on these issues, they would be partisan—but also applauded. Yet, because in this case the American people seem so aware that both parties are not primarily fighting for the ideas or values they had traditionally championed, partisanship has been reduced to a kind of epithet.

As a result, members of Congress are suddenly at great pains to avoid the appearance of disagreeing as their colleagues had in the House. "We really didn't want to look like *that*," said Susan Collins, the Republican senator from Maine, at the outset of the trial. Similarly, when Democratic Senator Chris Dodd of Connecticut and Republican Senator John Warner of Virginia began to fight over the procedures for witnesses on a recent edition of "Larry King Live," another guest, Dan Rather, said, "What happened to this bipartisan peace pipe that we passed along a week ago?" Both senators fell silent.

As both sides begin to fight more and more over less and less, they have plunged into the black pit of bipartisanship—into an elaborate set of rules and procedures, which, as one memo on decorum stated, "reflect the civility of the Senate." There are now rules for where members can walk or sit, when they can turn on their cell phones or address the chair, and there are even daily warnings from the sergeant-at-arms that senators must refrain from speaking during the testimony "on pain of imprisonment." All of this should hide not only the existence of their bitter fight, but also the most embarrassing fact about it: they are fighting over nothing. •

Why Clinton should consider a sabbatical.

TAKE FIVE

By Akhil Reed Amar

Bill Clinton's grip on power is so fierce, say his critics, that prying him from office would require a device even more powerful than "the jaws of life"—the contraption fire-rescue teams use to extract victims of car accidents from twisted metal wreckage. But suppose Clinton were to confound his detractors and actually do something noble: step down from office, temporarily, until the end of his impeachment trial. What would be the constitutional and political implications of this unprecedented

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reaction to an unprecedented impeachment of a duly elected president? (Recall that Andrew Johnson, Abraham Lincoln's vice president, became president not via all men's ballots but because of one man's bullet.)

The constitutional mechanism enabling Clinton to step aside, temporarily, is elaborated in the Twenty-fifth Amendment, adopted in the wake of President Kennedy's assassination. Under Section 3 of this Amendment, "Whenever the President transmits ... his written declaration that he is unable to discharge the powers and duties of his office, and until he transmits ... a written declaration to the contrary, such powers and duties shall be discharged by the Vice President as Acting President." Note that the inability here need not be physical. Clinton could simply say that, during the pendency of his trial, he deems it politically and morally better for the country that the high powers of the presidency be wielded by someone who is not under any cloud, and that he will retake the office only once the cloud has lifted, upon his due acquittal by the Senate. Legally, Clinton would be free at any time to take back the reins of power—but his pledge not to do so until the end of the trial would, as a practical matter, make it hard for him to renege.

DRAWING BY VINT LAWRENCE FOR THE NEW REPUBLIC

Clinton could have stepped down a while ago, of course. But, before January 20 of this year, any such move by Clinton would not have been very sporting to his loyal vice president, Al Gore. January 20 marks the exact midpoint of Clinton's second term, which began at noon on January 20, 1997, in keeping with the constitutional calendar mandated by the Twentieth Amendment. Under the Twenty-second Amendment, adopted after FDR's unprecedented tenure in office, "No person shall be elected to the office of the President more than twice, and no person who has held the office of President, or acted as President, for more than two years of a term to which some other person was elected President shall be elected to the office of the President more than once." If Clinton had stepped aside before January 20, and if he were eventually to be convicted in the Senate, President Gore would have been limited to a maximum possible tenure of six years in office—eligible to run in 2000, but not in 2004. But, if Clinton steps down any time from now on, Gore would be allowed to serve out the remainder of Clinton's term and would still be able to run for two terms in his own right.

Far from an act of disloyalty—turning Gore into a premature lame duck—any temporary transfer of power from Clinton to Gore henceforth would be an act of great fidelity and fealty to his number two, a dramatic endorsement by Clinton of Gore as a worthy occupant of the Oval Office.

And what's in it for Clinton? Just possibly the recovery of his honor and a shot at redemption. Stepping aside temporarily would be a penance he imposed on himself rather than a penalty forced upon him by others. Too often, his concessions thus far have come just one step ahead of the law. He admitted the truth about his relationship with Monica Lewinsky only after the DNA results proved that his past statements were lies; he proposed censure only to fend off impeachment; he mouthed words of contrition without really exhaling. The time to make concessions and show contrition is when you are winning—and in that sense now is the most opportune moment since the scandal broke, because it seems clear that, if he stands pat, he will win in the Senate. (Indeed, the ideal time to be a little self-sacrificing would be now, in the wake of his post-State of the Union bounce.)

Yes, by stepping aside temporarily, he imperils his presidency—he utterly unsettles matters and risks losing all. But it is precisely this willingness to take the risk of losing what he loves—power—that may help redeem him in the eyes of his countrymen and history. If he declines to step down, odds are that he will "win" in the Senate and stay in office—but he may well win by losing, because his acquittal would come after a simple majority of the Senate voted to oust him,

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rather than two-thirds. Will he be able to lead after this, or will he just mark time? Won't any "victory" in the Senate taste sour unless he can somehow bring a measure of nobility back to himself and his office?

By contrast, if he wins in the Senate after stepping down—sacrificing himself and making it easier to vote against him—any acquittal would seem a more genuine vindication, a more dramatic rebirth. Given that some Republican senators may be tempted to vote against him knowing that their votes won't suffice, Clinton could even say that, unless an absolute Senate majority votes to acquit, he will not return; if he wins this high-stakes gamble, he wins with genuine credibility and a true vote of confidence. True, any offer to step down permanently if a majority votes against him risks sliding our separated-powers system toward British-style parliamentarianism, but, with impeachment under way, that specter is already upon us. With a bold move, Clinton might actually enhance the presidency by seizing moral high ground and redefining himself rather than letting others define him.

Now consider Al Gore. The biggest structural problem of the vice presidency is that its occupant lacks a personal mandate from the people. In many states, voters cast separate ballots for governor and lieutenant governor (not to mention other statewide offices like attorney general), but in no state do citizens vote separately for the national vice presidency. A vice president is merely the bottom half of a presidential ticket, and most voters pay no attention to this office, focusing only on the top of the ticket. (Pop quiz: Name Ross Perot's 1992 and 1996 running mates.) In short, Americans vote for president, and the vice president simply piggybacks into office. The Constitution does not require this perverse way of picking vice presidents, but most of the time it is harmless. However, when something happens to the president, and the vice president must take over temporarily or permanently, our weird electoral system creates a legitimacy gap because we end up with a chief executive no one squarely voted for. The problem is compounded by ticket balancing, when Americans vote for the avatar of one wing of a party and end up with a representative of the other wing. (Think about Lincoln and Johnson, or James Garfield and Chester Arthur, or William McKinley and Teddy Roosevelt.)

If Clinton were to stand pat now and ultimately be convicted, the transition to Gore would be awkward—all the more so because no one really expects it to happen, even at this late date. But, if Clinton were to temporarily step down now and then be convicted, the transition to Gore would be smoother, since Gore would already be in place, installed with a personal and unforced vote of confidence from Clinton himself when it counted. Conversely, if Clinton were ultimately acquitted, Gore would have had a chance to prove his presidential mettle—as the de jure acting president of the United States—in the most dramatic way imaginable.

Finally, consider the Senate. In keeping with the command of Article I, Section 3, each senator has taken an oath to do "impartial justice." One meaning of such an oath is that each senator should be "impartisan"—utterly inattentive to the demands of political party. A Republican senator should imagine herself to be a Democrat, and a Democratic senator should imagine himself to be a Republican. But this is hard to do, psychologically, and pundits are predicting that the eventual vote in the Senate may well break down cleanly along party lines.

If so, this might be greatly disheartening to the nation. But having Al Gore physically occupying the Oval Office during the remainder of the trial might wonderfully concentrate the minds of the senators and confound perceptions of partisanship. If Republicans vote to convict and Democrats vote to acquit, it will be more clear to Americans that this is not necessarily pure partisanship at play. Pro-conviction Republicans, after all, would be voting in the most emphatic way to keep Al Gore in the White House—and immeasurably strengthen him for a bid in 2000. Conversely, pro-acquittal Democrats would be seen as weakening their presidential prospects for 2000 in order to affirm their sincerely held view that Clinton was duly elected and has suffered enough.

In short, by stepping down temporarily, Bill Clinton could step up morally and politically, in a way that would benefit the vice presidency, the Senate, the country, and even himself. Don't hold your breath—but keep in mind that the Twenty-fifth Amendment offers creative opportunities for the comeback kid to find a place to come back from.

AKHIL REED AMAR is the Southmayd Professor of Law at Yale Law School and author of *The Bill of Rights: Creation and Reconstruction* (Yale, 1998).

The NEA's dubious survival strategy.

ARTS AND CRAFT

By Jeremy McCarter

When the National Endowment for the Arts was founded, its top priority was fostering excellence in the arts. So it says something about the agency's current direction that its new chairman, Bill Ivey, doesn't like using the words "excellence" or "art." He avoids these words because "what they denote and connote have become problematic." To be sure, his willingness to avoid language that strikes some as elitist has helped the NEA's standing both on and off Capitol Hill. But does it really help

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the agency fulfill its mission to improve the arts in America?

To understand how the NEA got to this point, return to the early stages of the art world's culture wars. In the summer of 1989, conservatives in Congress lashed out at the Endowment for supporting the "obscene" works of photographers Andres Serrano and Robert Mapplethorpe. A popular and effective strategy was to turn the agency's language against itself. Al D'Amato strode to the floor of the Senate, tore up the catalog from Serrano's show, and declared, "This so-called piece of art is a deplorable, despicable display of vulgarity." Newt Gingrich proclaimed that the Endowment was nothing more than "a sandbox for the nation's affluent cultural elite."

But, even as the NEA was fending off this attack from the right, the left was on the march as well. Multiculturalists took issue with the NEA's emphasis on "excellence," claiming it might exclude minorities and artists in the inner cities. "The word was attacked as being elitist or as having a connotation that excellence was defined in West European, Judeo-Christian terms," says John Frohnmayer, who was NEA chairman from 1989 to 1992.

So, for completely different reasons, left and right both demanded the same thing: that the Endowment spread its money more broadly. And with its budget dropping every year—from $176 million in 1992 to $98 million in 1998—the Endowment was in no position to protest. Frohnmayer's successor, Jane Alexander, pledged early in her term to visit all 50 states. "Art should go across the country—not just in the city," she told a reporter at the Minneapolis *Star-Tribune* in 1993. "We need to reach out more."

The result, says George White, who served on the NEA's governing body, the National Arts Council, from 1992 to 1997, was that "we began to give grants in the context and climate of, 'OK, but don't forget that we have to do something over here in Wyoming,' or, 'We haven't done anything for Montana this week,' or, 'Look at this group, they have no ethnic representation on this board. Where the hell is the representative from such-and-such?'" The peak (if one can call it that) of this trend was American Canvas, a series of six town-hall-style meetings across the country in 1996 on topics such as, "How can the arts ensure equity and access to America's culture and heritage?" But even this failed to placate the Republican House, which voted to abolish the agency in 1997. (The Senate saved it in a conference committee.) To make matters worse, later that year, the Endowment released the American Canvas report, which managed to offend some members of the art community who thought it blamed them for the agency's troubles.

Into this acrimony stepped William J. Ivey. With degrees from the University of Michigan and Indiana University and 27 years of experience running a prestigious music foundation, Ivey, appointed by President Clinton in 1998, had the bona fides to satisfy the arts community. Yet, because those degrees were in history and folklore and ethnomusicology, and because that foundation was Nashville's Country Music Foundation, he had plebian appeal as well. He was, as one music historian told *The New York Times*, a "liberal-minded intellectual who has managed to thrive in a conservative culture." Alexander, in the same article, called her successor "a savvy political choice," and she meant it as a compliment. "We're dealing with people who've used the NEA as a political football, so why not make a political choice and end that game?" she said.

Variety has written: "It's hard to imagine conservative cultural warriors beating up William Ivey." His confirmation proceedings show why. After Ivey canvassed Capitol Hill, paying visits to congressional leaders, the Senate was smitten. Even NEA archnemesis Jesse Helms fell into line after Ivey came by to chat about Randy Travis, a country music star from Helms's native North Carolina. Without so much as a hearing, the Senate confirmed him in May.

In office, Ivey has lived up to his billing, expanding a popular new program that earmarks grants for underserved areas and kicking off a study of ways to provide operating support for arts institutions. Eschewing those "problematic" words that got his predecessors into trouble, he has peppered his speeches with references to "living cultural heritage," a phrase that reflects his belief that art is a product of both an individual's creativity and "the weight of centuries of tradition."

To borrow a phrase from the stage, Ivey's early notices have been good. In August, the House voted overwhelmingly to fund the NEA for 1999—and even decided *not* to reduce the budget for next year. "I think he's been doing great," says Ben Cameron, executive director of the Theater Communications Group, an advocacy group for nonprofit theaters nationwide. Ivey has begun looking to the future. "I think there definitely has been a corner turned," he told me. "Now every sign that I see indicates that we have an opportunity to be in a proactive mode and really set goals for ourselves and for the arts in America to begin to move forward."

But what are those goals? Does Iveyism mean shifting the Endowment's focus away from artists to audiences, while accelerating the trend toward parceling out artistic grants like so many highway projects? Does it, in short, indicate a new high-water mark in the use of nonaesthetic terms to talk about art, abandoning the pursuit of excellence for which the Endowment was founded? Based on what Ivey has done already—and what he is about to announce in his new, three-year strategic plan—the answer might be "yes."

In his effort to placate critics, Ivey has broadened the definition of art to include, well, just about anything. In 1999, Endowment dollars will support a Massachusetts radio station that intends to use art "to sustain local community and a sense of place," a metalsmithing magazine in Florida, and a nationwide initiative that will preserve nature and cultural trails. During our interview, I asked Ivey if there are any artistic pursuits that don't fit on his horizontal line of culture. "I think," he replied, "that there are artlike activities that are from time to time pur-

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sued in a very superficial way that don't possess the intensity of involvement over time required to define something into the world of art, but it's not that one genre is frivolous and another is serious, one is worthy and another unworthy." That doesn't exclude much. I then asked him for his definition of art itself. He thought about it for five seconds, then answered, "I think that art is creative activity that contains elements of artistic heritage and is pursued with intensity over time." That excludes even less.

In his speeches, Ivey has been no more specific. In September, he argued that "American art is not one thing." Art, Ivey has said, is a means for communities "to express themselves and to craft a face and a personality for community life," a vehicle "to spread the dream of democracy around the world," and something that "can enhance every aspect of a child's intellectual growth" while "anchor[ing] communities, grow[ing] the economy, and increas[ing] jobs." In all, Ivey has offered more than a dozen definitions of American art and claims about what it can do in the eight months since he took office. That's one about every three weeks.

Finally, Ivey is determined to give greater emphasis to the Endowment's "citizen service." This will make members of Congress happy. But the emphasis on service can be at odds with the agency's basic imperative to uphold high standards. Indeed, the descriptions of several projects receiving grants in 1999 include claims about how many audience members they will "serve." Yet many in the arts community wonder, rightly, when popularity became a proxy for artistic merit. As art critic and historian Robert Hughes has argued, the arts are "profoundly elitist, like professional sports.... That's why people like them."

Ivey maintains that the NEA's commitment to excellence has never waned. But the goals described in the new strategic plan suggest otherwise. The first one is that "the American public should have access to a wide range of arts experiences." Another is that "artists and organizations should have numerous opportunities to create and present artistic work." A third is that "the arts are central to the realization of community dreams." None of the goals refers to fostering excellence in the arts, historically the NEA's highest priority.

Ivey insists that excellence will be "all over" the strategic plan when it is released. But there's a catch. "I think we need to be aware and our constituents need to be aware that excellence means different things in different settings," he told me. He offered as examples a great violinist, a project that combines its resources in some original way, and a work that connects with audience and community particularly well—all equally valid in his mind, and now in the Endowment's.

In the past, the fundamental debate surrounding the Endowment's work concerned how to balance its historical objectives: fostering excellence in the arts and broadening access to them. Yet Ivey seems to conflate the two: in his mind, good art is art that serves the most people or renders the best service. The Endowment's work, he says, is "really about bringing art to the American people, helping arts organizations and artists create so there is more access, making sure that the agency reaches all over the country." It is a sad irony that the subjects the NEA most needs to address—questions of aesthetics and what is truly best—are the ones that Bill Ivey seems least likely to consider. That alone makes one wonder if the NEA's stay of execution wasn't a Pyrrhic victory after all.•

Did George Soros really kill the ruble?

IDLE SPECULATION

By Chrystia Freeland

When the Russian economy dropped off a precipice this summer—with the simultaneous devaluation of the ruble and default on government debt—the conspiratorially inclined immediately began to wonder if someone had given it a push. A natural suspect was George Soros.

CHRYSTIA FREELAND has just completed four years as Moscow bureau chief for *The Financial Times* and is writing a book about the birth of Russian capitalism.

For one thing, the financier and philanthropist already had an international record of similar high-octane activities. In September 1992, he bet massively against one of the most august central banks in the world, the Bank of England, gambling that the British authorities would lose their battle to keep the pound within the European exchange-rate mechanism. On Black Wednesday, Soros won his wager, earning $1 billion for his funds—along with the icy resentment of much of the British establishment, which dubbed him

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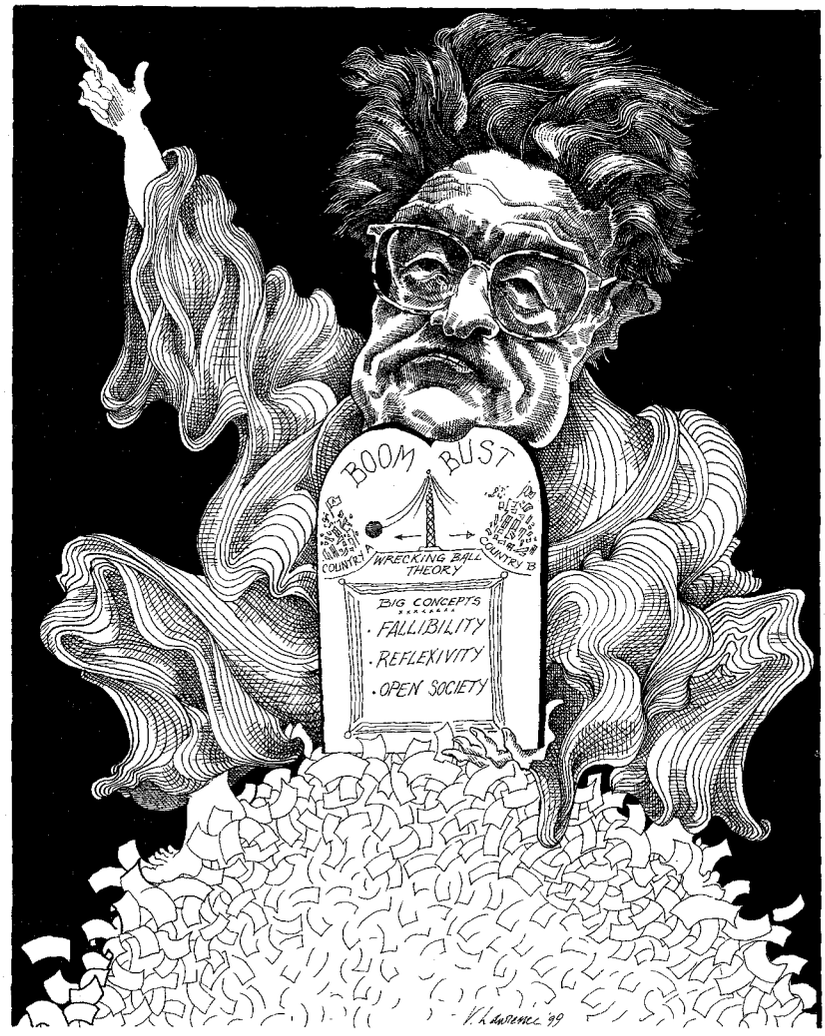
The Man Who Broke the Bank of England.

Five years later, as the Asian crisis ravaged the region's erstwhile tiger economies, Soros again found himself the target of a nation's rage. Horrified by the abrupt collapse of his country's boom, Mahathir Mohamad, Malaysia's prime minister, blamed the financial reversal on Asia's most outspoken foreign investor. He reviled Soros as a "moron" who is one of a pack of ruthless, "immoral" financial speculators who had brought down the economies of a continent for sordid personal gain.

In the summer of 1998, when the Asian economic tsunami swept across the Siberian plains into Russia, Soros seemed to be at it again. He had the opportunity: he was one of the biggest foreign investors in Russia's nascent market economy. He had the means: he was the world's most infamous currency speculator. He had the necessary amoral mindset with regard to his business decisions: "I am basically [in business] to make money," he told CBS's "60 Minutes" last December. "I cannot and do not look at the social consequences of what I do." And, most suspiciously of all, he had very publicly left his fingerprints all over the scene.



GEORGE SOROS BY VINT LAWRENCE FOR THE NEW REPUBLIC

On August 13, just four days before the Russian government made its fateful decision to let the ruble go into free fall against the dollar, Soros wrote a letter to *The Financial Times* predicting the imminent demise of the Russian national currency. The "meltdown" in Russian financial markets had, he decreed, "reached the terminal phase." The only solution was a swift, controlled devaluation of the ruble, followed by the introduction of an Argentina-style currency board, backed by foreign credits, to secure the Russian currency at its new level. Barring such radical measures, Soros warned, Russia would be wracked by the "devastating" effects of either "default or hyper-inflation."

Over the next 96 hours, Soros proved to have been horribly prescient. Confidence in Russia's already anemic markets began to hemorrhage, and on August 17 the Russian government surrendered, announcing a devaluation of the ruble, a default on its ruble-denominated treasury bills, and a moratorium on debt payment by commercial banks.

Pundits, particularly in the West, were quick to accuse Soros of orchestrating—and benefiting from—the crisis he had so conveniently foretold. The London *Independent* warned that Soros's "self-fulfilling" prophecies should be treated with "utmost suspicion" and cautioned that he might be "talking his book." *The Times* of London was more specific, speculating that Soros had cashed in on the ruble collapse by taking advantage of its knock-on effect on other economies: "Market analysts think that the Soros funds cannily sold huge quantities of dollars against the mark, profiting handsomely as the currency fell."

Nor has Soros's reputation escaped unscathed in Russia, a country not unaccustomed to blaming foreign financiers, particularly prominent Jewish ones, when things go wrong. "In the popular consciousness, he is devil number two, right after Anatoly Chubais [the architect of Russia's mass privatization drive]," Mikhail Berger, editor of *Segodnya*, a liberal Moscow daily, told me.

But, beyond the reflexive accusations, the real surprise in Russia is not the patina of public resentment of George Soros. It is, on the contrary, how gentle and unconvinced the finger-pointing is. Apart from a few rabid Communist tabloids and the odd xenophobic loudmouth at the bazaar, attacks on Soros are rare. Thoughtful Russians in business, politics, and the press uniformly insist that

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Soros is not to blame for Russia's ills. Moscow's level-headedness is a sober counterpoint to the fevered speculation in the West. What is more, the Russians are probably right.

Voicing the Russian media consensus, Berger insisted: "His letter [to the *FT*] did not start the crisis; it merely coincided with it. No serious person thinks it was actually his fault."

Russian businessmen, deflated from billionaires into bankrupts by the meltdown, are equally disinclined to pin the blame on the global financial markets' favorite bogeyman. "No, no, no, not at all," Kakha Bendukidze, a leading industrialist and unblushing Russian nationalist, erupted when I asked him if Soros had pulled the trigger on the ruble this summer. "You don't need to make him into a devil. This crisis began in 1995, when the government began to artificially prop up the ruble, not in 1998. Everything that happens in our country is the result of accident and our own stupidity, not of evil foreign conspiracy."

Indeed, from the snowy vantage point of Moscow, far from being the shadowy instigator of Russia's economic crisis, Soros looks like one of its biggest, and most naïve, casualties. "His role in causing the Russian crisis was zero," a Russian magnate, one of the notorious "oligarchs" whose empires were decimated by the economic collapse, explained while sipping coffee in his company's lavish, but now nearly deserted, Moscow headquarters. "He is actually a loser in the Russian capitalist game. In Russia, Soros is a victim, not a devil."

Insofar as anything can be categorically asserted in the opaque world of global hedge funds, the Russians seem to have a point. Stanley Druckenmiller, the chief investment strategist at Soros Fund Management, estimated this summer that the Russian crisis had cost the Soros treasure chest close to $2 billion, the largest loss ever to hit the legendary group.

"It is too painful for me to look," Druckenmiller told *The Financial Times* in late August. "We were hit by everything: stocks, GKOs [government treasury bills].... It has turned a potentially great year into an average one."

This version of the story—with Soros, like almost every other major Western investor, losing his shirt in Russia—has none of the macabre fascination of the evil genius theory of Soros's manipulation of the ruble. But the workaday verdict from Moscow has the virtue of being more credible.

For one thing, speculating on the collapse of the ruble was far harder to do than, say, making money on the depreciation of the pound in 1992. The ruble was a far less liquid currency, and one that became increasingly difficult to trade as the crisis intensified. Worse still, in the aftermath of the financial meltdown, even those financiers savvy enough to bet on a ruble devaluation were out of luck. Russia's moribund banks—dubbed "the living dead" by one Western accountant in Moscow—are largely refusing to pay out on the forward contracts that some investors bought, in an effort to hedge against ruble depreciation.

That still leaves the option of speculating on another, more liquid currency, likely to be strongly affected by a ruble devaluation, as some observers believe Soros did on the D-mark. But, while possible, it still stretches credulity to believe that Soros intentionally pushed the ruble into devaluation solely to ensure that his D-mark bet came off. For a start, that sort of convoluted currency play would be highly self-destructive—Soros lost far more through the ruble's knock-on effect on his Russian investments than he stood to gain from any notional gamble on the D-mark/dollar exchange rate.

But the real reason the conspiracy theories about Soros and the ruble fall down is the simplest of all: Influential though he is, it was not George Soros who brought down the Russian currency. By the time Soros's letter was published on Thursday, August 13, two prominent Russian banks had begun to default on loans to Russian counterparts. Their default rippled through the teetering Russian banking system, which began to collapse like the proverbial house of cards. By Friday morning, the situation was so dire the country's leading bankers and politicians summoned Sergei Dubinin, the central bank chairman, to cut short his summer vacation and make an emergency trip back to Moscow. By Saturday, Russian officials, after frantic meetings with the IMF and local businessmen, realized devaluation and default were inevitable.

By the time Soros wrote his letter, Russia's economic time bomb had already begun to tick out its final hours. He accurately diagnosed Russia's "terminal" condition, but, by then, the patient was too far gone for Soros or the Western investors and policymakers who read his pessimistic prognosis to either hasten or avert the young market economy's death throes.

Indeed, the real story about Soros and Russia is not the tale of the calculating capitalist who coldheartedly profited from "market disequilibrium" in distant lands. In Russia, a country central to Soros's "open society" political project, the philanthropist got the better of the financier.

Soros fervently hoped that the values of civil society and the rule of law, which he spent millions of dollars promoting, had triumphed in the former heartland of communism. It was this idealistic view that drove his investment in Russia, particularly his costliest and most high-profile move: a $980 million contribution to the privatization of Svyazinvest, a telecommunications company. The August crash proved that Soros had been wrong—like most investors who allow political sympathies and wishful thinking to enter into their calculations. As a saddened Soros himself told *The Financial Times* last month: "[I] bet that Russia was ready to make the grade from robber capitalism to legitimate capitalism. This was a bet I made and I lost." •

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The central question for the Senate.

MATERIAL GIRL

By Jeffrey Rosen

The witnesses are coming! In their opening arguments during the impeachment trial of Bill Clinton, the House managers seemed to convince a majority of senators to call witnesses to resolve disputed factual questions. The president's lawyers responded that witnesses are unnecessary because "you have before you all that you need" to conclude that there was no basis for the House to impeach the president or the Senate to convict him. But, after two weeks of tub-thumping, both sides have managed to overlook the fact that the case against the president stands or falls on a straightforward legal question, not a factual one: Does the Senate think the evidence of Monica Lewinsky's consensual affair with Bill Clinton was material to Paula Jones's sexual harassment suit?

If the Lewinsky evidence wasn't material to the Jones suit, then, even assuming that Clinton did everything that the impeachment articles accuse him of having done, he can't be guilty of the crimes of perjury or obstruction of justice. If, by contrast, the Lewinsky evidence was material to the Jones suit, then the House managers should be allowed to develop their factual and constitutional case. In other words, it makes no sense for the Senate to hear witnesses before deciding the underlying question of materiality: Were the questions about Clinton's affair with Lewinsky relevant enough to the Jones suit to have influenced the case at the time they were asked?

The debate about materiality sounds technical, but it coincides with people's conflicting intuitions about whether the impeachment trial is just about sex, as Clinton defenders insist, or whether it's about an offense against the judicial system, denying a civil rights plaintiff—Mrs. Paula Corbin Jones, as the House managers piously called her—of her rights as an American citizen. If Clinton and Lewinsky were correct in their belief that evidence of their consensual affair had no possible relevance to the Jones suit, then they couldn't have intended to deprive Jones of her rights, or to obstruct justice, when they tried to avoid embarrassment by denying the affair. Indeed, even if Clinton and Lewinsky believed that evidence of their affair was material, they can't be convicted of crimes if the Senate now concludes that the evidence was immaterial. If, on the other hand, evidence of the Lewinsky affair could have bolstered Jones's allegations, then Clinton and Lewinsky may indeed have committed perjury or obstruction of justice by attempting to conceal it—regardless of whether or not they believed the evidence was material.

Consider, for example, the first article of impeachment, which alleges that Clinton "willfully corrupted and manipulated the judicial process of the United States for his personal gain and exoneration, impeding the administration of justice" when he "willfully provided perjurious, false, and misleading testimony to the grand jury." Even assuming that Clinton intentionally lied in his Jones deposition—an allegation that the president strenuously denies—he couldn't have committed the crimes of perjury or false testimony in the Jones case *or before the grand jury* if his lies weren't material in the Jones case. To qualify as perjury, a lie has to be intentional and material. And, as Charles Collier and Christopher Slobogin of the University of Florida Law School point out, Kenneth Starr insisted that the purpose of his grand jury was to determine whether Clinton committed perjury in the Jones case—whether, in other words, he falsely testified as to any "material matter." Questions about matters that were immaterial to the Jones case couldn't, by definition, be material to the grand jury proceeding, so, even assuming Clinton gave false answers to these questions before the grand jury, he couldn't have committed the crimes of perjury or false testimony. If Clinton's lies before the grand jury about his previous, immaterial lies in the Jones deposition were themselves considered material, then Starr's grand jury would have served no other purpose than to set an unbounded perjury trap. Such a Potemkin grand jury would be constitutionally questionable. Even the Republicans on the House Judiciary Committee seemed to concede this in their impeachment report when they noted: "As one of the matters the grand jury was considering was the OIC's investigation of 'whether Monica Lewinsky or others had violated federal law in connection with the *Jones* v. *Clinton* case,' materiality would be determined by whether the president's affair with Ms. Lewinsky was material to that case."

So the president's lawyer, Greg Craig, was wrong when he told the Senate, "This case is about the grand jury, and the grand jury alone." The Senate can't in good conscience decide whether Clinton committed perjury before the grand jury, as the first article of impeach-

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ment alleges, before first deciding whether the Lewinsky evidence was material to the Jones case. But it also has to decide the materiality question before considering whether Clinton obstructed justice in the Jones case, as the second article of impeachment alleges.

The federal obstruction of justice law is even more technical than the federal perjury law, and it has been dramatically expanded in recent years. For most of American history, the common law crime of obstruction of justice was defined narrowly, largely in response to the fear that unscrupulous government officials might use the law to silence their critics. The first obstruction of justice statute was passed in 1831, in the wake of the sensational impeachment hearings of Judge James H. Peck, a Missouri district court judge with Starr-like tendencies to charge his critics with seditious libel. When Luke Edward Lawless, a lawyer, criticized one of Peck's opinions in a letter to a newspaper, Peck held him in contempt, claiming that the letter tended to "bring odium on the court." Peck was then impeached by the House in 1830 and, after a six-week trial, acquitted by the Senate on a 22–21 partisan vote. A few weeks after the Peck trial ended, however, Congress passed a law dramatically restricting the judicial contempt power, limiting it to misbehavior that took place in the presence of the court itself, "or so near thereto as to obstruct the administration of justice." Section 2 of the act provided for prosecution of a person who would "corruptly, or by threats or force, endeavor to influence, intimidate, or impede any juror, witness, or officer, in any Court of the United States."

For nearly 150 years, the federal obstruction of justice statute retained this gothic language, requiring that a defendant act "corruptly" before he could be punished. The Supreme Court interpreted the requirement of "corrupt influence" to mean that the accused had to intend to achieve a specific, predetermined result that would thwart the administration of justice. When mineworkers, for example, were convicted in the 1890s for obstructing justice by violating an injunction that prohibited them from striking, their convictions were rightly overturned on the grounds that they didn't know that the injunction had been issued and couldn't have intended to violate it. In the classic obstruction of justice cases of the Nixon era, the convictions of H.R. Haldeman and John Mitchell were upheld because there was no doubt they had intended to obstruct justice when they engineered an elaborate conspiracy to destroy wiretaps, burn documents, and pay hush money to the Watergate burglars, and then lied about the cover-up to Senate investigators, trying to pin the blame on John Dean. (Dean, incidentally, had the best line of the impeachment hearing last week: when the House managers alluded three times to his famous warning from the Watergate era that a "cancer was growing" on the presidency, Dean noted on television that they had confused cancer with a hickey.)

In 1982, however, Congress transformed the federal obstruction of justice law by passing the Victim and Witness Protection Act, one of the first of its Reagan-era efforts to get tough on crime. Before 1982, the federal witness tampering law penalized only those who intentionally and corruptly tampered with, or tried to tamper with, actual witnesses to a pending judicial proceeding. Now, the witness tampering law, section 1512, penalizes anyone who "corruptly persuades another person, or attempts to do so, or engages in misleading conduct toward another person, with intent to influence, delay, or prevent the testimony of any person in an official proceeding." Chris Cannon, the House manager from Utah, was correct when he emphasized during his presentation last week that a person can commit the crime of witness tampering "even before there is a case under way in which that person might testify," and even if he doesn't explicitly ask a potential witness to lie. By contrast, another section of the obstruction of justice law, section 1503, retains the old nineteenth-century language and provides for the punishment of anyone who "corruptly ... endeavors to influence, obstruct, or impede, the due administration of justice." Most courts have held that you can't violate section 1503, unlike section 1512, unless a judicial proceeding is actually pending.

With these tortuous legalisms in mind, let's examine the most important of the seven allegations of obstruction of justice—or the "seven pillars of obstruction," as House Manager Asa Hutchinson grandly called them—that are found in the second article of impeachment, which charges the president with having "prevented, obstructed and impeded the administration of justice" by engaging in a "scheme designed to delay, impede, cover up and conceal the existence of evidence and testimony related to a Federal civil rights action brought against him in a duly instituted judicial proceeding." As in the case of the perjury allegations, senators can't in good conscience vote for the most serious allegations of obstruction if they believe that the Lewinsky evidence wasn't material to the Jones suit.

Let's consider them in turn.

"On or about December 17, 1997, William Jefferson Clinton corruptly encouraged a witness in a Federal civil rights action brought against him to execute a sworn affidavit in that proceeding that he knew to be perjurious, false and misleading," the House alleges, and "[o]n or about December 17, 1997, William Jefferson Clinton corruptly encouraged a witness in a Federal civil rights action brought against him to give perjurious, false and misleading testimony if and when called to testify personally in that proceeding." At least eight times before the grand jury, Clinton insisted that he and Lewinsky believed that she could execute a truthful affidavit that would establish their affair wasn't relevant to the Jones case. During his presentation last week, however, House Manager Bill McCollom noted convincingly that Lewinsky denied in her affidavit that she had ever seen the president outside of official events. This was obviously a lie.

But even if the managers could establish that Clinton asked her to include this false detail—in the face of

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Monica's repeated statements that the president never asked her to lie—both Clinton and Lewinsky obviously knew it was a lie, and therefore it couldn't violate the witness tampering law. Courts have made clear that, when two people freely agree to tell a story that both know to be false, neither can be guilty of witness tampering, as defined in section 1512 of the obstruction law. By contrast, to prove that the lie obstructed the "due administration of justice," under section 1503 of the obstruction law, the managers would have to establish that it was material in some way to the Jones case. If it wasn't material, then it wasn't perjurious, and Clinton can't have obstructed justice in the Jones case by encouraging it.

"Beginning on or about December 7, 1997, and continuing through and including January 14, 1998," the House alleges, "William Jefferson Clinton intensified and succeeded in an effort to secure job assistance to a witness in a Federal civil rights action brought against him in order to corruptly prevent the truthful testimony of that witness in that proceeding at a time when the truthful testimony of that witness would have been harmful to him." From the beginning, the allegation that Clinton got Lewinsky a job in order to buy her silence has been hard to prove because it's based on an inherently implausible theory of the case. In a passage that Starr omitted from his referral, Lewinsky told FBI investigators that the main reason she looked for a job in New York was because Linda Tripp told her that a fellow worker, "Kate at NSC," said that Lewinsky would never get a job in the White House that would allow her to stay near the president. This explanation of the job search is highly convincing: Lewinsky made clear throughout her testimony that she wanted desperately to stay at the White House and only agreed to look for work elsewhere when it became clear that her position was untenable.

But, if Lewinsky's account of her job search is accurate, then her truthful testimony couldn't have harmed the president in the Paula Jones suit, and the president can't have obstructed justice by discouraging her from testifying, even indirectly, by helping her find another job. Remember that the Jones lawyers' justification for asking questions about Lewinsky in the first place hinged on their suggestion that Clinton punished employees who rebuffed his advances and rewarded those who succumbed to his advances. But, by her own account, Lewinsky wasn't rewarded with a job for having an affair with Clinton: she was forced to leave the job—and man—she loved and to look, reluctantly, for work in the private sector. So, even if Clinton did tell Jordan to get Lewinsky a job at Revlon—a claim that all three of them strenuously deny—a consensual affair that culminated in Lewinsky leaving the government under duress seems too remote from anything that Paula Jones experienced to be material to the Jones case, and Clinton couldn't have been harmed in the Jones case by its disclosure.

"On or about January 18 and January 20–21, 1998," the House alleges, "William Jefferson Clinton related a false and misleading account of events relevant to a Federal civil rights action brought against him to a potential witness in that proceeding, in order to corruptly influence the testimony of that witness." The allegation here is that Clinton obstructed justice when he summoned his secretary, Betty Currie, after the Jones deposition and posed to her a series of leading questions, such as, "I was never alone with Monica Lewinsky, right?" "You were always here when she was here, right?" and "You could see and hear everything, right?" In his overview of the case, House Manager James Sensenbrenner quoted a definition of witness tampering from a 1986 appellate court decision, *U.S.* v. *Rodolitz*: "The most obvious example of a Section 1512 violation may be the situation where a defendant tells a potential witness a false story as if the story were true, intending that the witness believe the story and testify to it before the grand jury." Sensenbrenner added: "If the president's actions do not fit this example, I am at a loss to know what actions do."

In fact, the president's actions don't fit this example. The Rodolitz case makes clear that telling someone else a story that both people know to be false can't be considered witness tampering. If Clinton's statements to Currie were false, both of them knew they were false. If they were misleading but technically true, both of them knew this as well. In either case, Clinton can't be accused of obstructing justice by lying to Currie, even if he could have imagined that she would ever be summoned as a witness by the Jones lawyers—itself an implausible assumption if you assume, as Clinton did, that the Lewinsky affair was immaterial to the Jones case.

"On or about January 21, 23 and 26, 1998," the House alleges, "William Jefferson Clinton made false and misleading statements to potential witnesses in a Federal grand jury proceeding in order to corruptly influence the testimony of those witnesses. The false and misleading statements made by William Jefferson Clinton were repeated by the witnesses to the grand jury, causing the grand jury to receive false and misleading information." In his widely praised but oddly conspiratorial presentation, Asa Hutchinson spelled out the prosecution's theory of this allegation. He noted that Clinton told Sidney Blumenthal that Monica "made a sexual demand on me" and that Monica thought that, by having an affair with him, she wouldn't be known as " 'the stalker' anymore." By calling Blumenthal to the Senate, Hutchinson suggested, the prosecution would make clear that Clinton's lies to Blumenthal about his relationship with Lewinsky were a form of witness tampering, because he intended for Blumenthal to repeat them to the grand jury and to the press.

This is factually and legally implausible. If Blumenthal is called to the Senate, he will testify that, when Clinton lied to him, the president's overriding purpose wasn't to mislead the grand jury but to avoid detection by his wife, to whom Blumenthal is famously close. Blumenthal himself wasn't a witness to any of the events in the Jones suit, and it's absurd to claim that the president intended to

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influence Starr's grand jury when he merely repeated to his aides the same denials that he made to the country at large. Indeed, under the House's theory, the subject of a grand jury investigation would have an obligation to confess his guilt to anyone who asked to avoid being charged with obstruction of justice, because anyone the suspect spoke with might conceivably be subpoenaed by his prosecutor. This attempt to short-circuit the right against self-incrimination was precisely what Congress tried to avoid when it passed the first obstruction of justice law in 1831. And, in any event, if the Lewinsky affair wasn't material to the Jones case, then the grand jury couldn't have been misled by inaccurate hearsay about it repeated by presidential aides who weren't first-hand witnesses.

Finally, the House alleges, "On or about December 28, 1997, William Jefferson Clinton corruptly engaged in, encouraged or supported a scheme to conceal evidence that had been subpoenaed in a Federal civil rights action brought against him." In his presentation, House Manager Cannon pointed to a case decided last April, *U.S.* v. *Lundwall*, to justify the claim that the obstruction of justice statute can be violated by attempts to withhold evidence that has been subpoenaed in civil proceedings. But, in fact, the case shows how rarely the obstruction of justice statute is applied in this context.

The Lundwall case grew out of the controversy ignited by a report in *The New York Times* that several Texaco executives, including Robert Ulrich and Richard Lundwall, had been caught on tape using racial epithets. Texaco paid $176 million to settle the civil discrimination lawsuit that had been brought by African American employees before the tapes emerged, and punished Ulrich and Lundwall by reducing their retirement benefits. Although it turned out the accounts of racial epithets had been greatly exaggerated, the public outcry continued, prompting Mary Jo White, a U.S. attorney in New York, to indict the two men on obstruction of justice charges. Ulrich and Lundwall, she alleged, had violated the law by placing certain documents related to the case in a folder marked "withheld from legal."

At their trial, Lundwall and Ulrich argued successfully that the plaintiffs had never subpoenaed the disputed documents, and neither defendant had any reason to believe they were material to the case. The two men portrayed themselves as innocent but legally unsophisticated employees who had tried in good faith to separate relevant documents from those they thought were irrelevant. Their lawyers pointed out, furthermore, that this was the first time *in history* that the federal obstruction of justice law had been invoked in a civil case in which one side withheld peripheral evidence that the other side hadn't even sought. Last May, a federal jury acquitted Lundwall and Ulrich on all counts. The jurors gave the defendants the benefit of the doubt, understanding intuitively that the withholding of evidence of dubious relevance to a civil lawsuit hardly amounts to the kind of obstruction of justice the law was designed to prohibit.

And the senators, as triers of fact and law, must similarly focus on the materiality of the Lewinsky evidence before reaching a final verdict. In 1995, the Supreme Court unanimously reversed a defendant's conviction for making false statements on the grounds that the trial judge had denied his right to have a jury decide the materiality of his lies. In a concurring opinion, Chief Justice Rehnquist wrote, "I agree that 'the trial judge's refusal to allow the jury to pass on the "materiality" of [the] false statements infringed' his 'right to have a jury determine, beyond a reasonable doubt, his guilt of every element of the crime with which he [was] charged.'" If the Senate votes on the articles of impeachment without first conducting a debate about the materiality of the Lewinsky evidence, it will deny Bill Clinton's basic constitutional right to due process of law.

The House managers have criticized the president's lawyers for their legalistic hairsplitting in focusing on the technical definitions of perjury and obstruction of justice. The president lied, they argue. Isn't that enough to impeach him? But the entire theory of the impeachment of Bill Clinton—clearly set out in the first article of impeachment—is that the president violated "his constitutional duty to take care that the laws be faithfully executed." If the president's conduct did not, in fact, violate the law, then, according the standards the House agreed on, he can't be impeached.

I've argued that, despite the claims of the president's lawyers, no conscientious senator can vote to convict Clinton on either article of impeachment without first deciding that the Lewinsky affair was legally material to the Jones case. But was it, in fact, material? Those senators who view Jones as a heroic but ordinary American citizen, determined to vindicate her civil rights, might take the position that she was perfectly justified in asking the president to name all the government employees with whom he had sexual relations during the past two decades. Those senators who view the Jones suit as a transparent example of political blackmail—based on the preposterous and illiberal claim that a single advance, without tangible job consequences, is a form of gender discrimination—might conclude that such a meritless suit could not have been illuminated in any way by evidence of the president's consensual affair with an intern who was transferred out of the White House but chose not to complain about it. Given the confused and uncertain state of harassment law, either position, unfortunately, is legally plausible. But, if the Senate convicts the president, it will have decided that the Lewinsky evidence is, in fact, material to the Jones suit. This indelible precedent will encourage every sexual harassment plaintiff in the future to expose the most intimate activities of every defendant, no matter how frivolous the underlying claim. It would be hard to reconcile this reckless expansion of harassment law with what Representative Steve Largent of Oklahoma, in the Republican response to the State of the Union address, called the core principles of the Republican Party: "individual liberty, free enterprise, and limited government." •

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BOOKS & The Arts

Stanley Kauffmann on Films

Running Time

Shohei Imamura strives on. Now seventy-two, he presents his twenty-fifth film, **Dr. Akagi** (Kino), which hurtles, jostles, stings, and insists just as much as most of the previous fifteen or so by this Japanese verist that I have seen. One of them, *Vengeance Is Mine*, about a (Catholic) serial killer, is a near-masterpiece. Some of them, like *Pigs and Battleships*, are heavy-handed. Most of them, like *Black Rain* and *A Man Vanishes* and *The Pornographers*, are somewhat uneven but quite unforgettable. The fact that the last-named is not about sex but about a man who makes sex films—its Japanese title translates as *An Introduction to Anthropology*—is a considerable hint toward the core of this artist, who is a blend of Zola and fierce cultural nationalism.

Several of his films deal with Japan during and just after World War II. *Black Rain* is about the after-effects of the atomic bombs. The new film, *Dr. Akagi*, is set in 1945 and travels in time through the news of the German surrender to Hiroshima. The title character is a middle-aged physician in a remote locality, trying to minister to his many patients with reduced supplies and increased demands on his time. Imamura's father was a doctor, but a successful one in Tokyo, nothing like Dr. Akagi, whom we first see running. Literally running. In his white suit and bow tie and straw hat, he runs through village streets and down country roads, carrying his little bag, on his way to patients. We often see him running. (At the risk of self-congratulation I note that Dr. Akagi reminded me of Kurosawa's slum doctor in *Drunken Angel*, and I subsequently read that, when Imamura was a young man, he was turned to filmmaking by seeing *Drunken Angel*.)

But this is no lachrymose portrait of a lovable country doc. Dr. Akagi is too busy for lovableness, too entwined in the fears and fantasies caused by the war and the defeat that is foreseen. His chief concern medically is hepatitis, of which there is an epidemic along with insufficient medicines. He becomes known as "Dr. Liver," and is summoned to a medical conference in Tokyo where he presents his views. The physicians applaud him, though little can be done at the moment to deal with the disease

But *Dr. Akagi* is much more than the story of this doctor's medical struggles. Also involved in his story are his assistant, a young woman who adores him; a younger doctor in the town who is a morphine addict; the prevalence and acceptance of prostitution as economic need; the sexual fancies of the local military commander; the presence of Allied prisoners in a nearby camp; the sheltering of an escaped prisoner, a Dutchman with whom the doctor converses in German and who helps him with his experiments; and the punishment of the doctor for his protection of the prisoner.

Some of the film is splintery. The screenplay by Imamura and Daisuke Tengan, from a novel by Ango Sakaguchi, sometimes seems to be sweeping up incidentals as it moves along, the way a flooding stream sweeps up materials along the way. The ending is a reminder that Imamura can lean heavily on symbols, as he did in his last picture, *The Eel*. Here in this seaside village the symbol is a whale who is sighted a few moments before the doctor and his assistant see the mushroom cloud. But Imamura is so generally persuasive that we tend to shrug at his gauche moments. He leaves us with a sense of immersion in a Zeitgeist far from our own experience—fascinating.

That immersion is accomplished through art, not bald factual detail. Akira Emoto, who literally runs through the title role, manages to convey honesty and authority as he does so. And Imamura has once again found a cinematographer—in this case Shigero Komatsubara, who did *The Eel*—to fulfill his visual intent: to transform, without aesthetic fuss, the commonplace into the iconic.

Sometimes—more often than I would like—a film fills me with a peculiar admiration for the people who made it. However they got involved in the project, the director and the cast had to get up every morning and go to work on a script that was, essentially, one more duplicate off the assembly line. Of course they had signed contracts, of course they were being paid; still, in the actual moments of shooting, it took willed acts of imagination and conviction on their part to get on with the job, at least some momentary conviction that they were not making just one more of the same, whatever the genre was. That ability—to summon energy in the face of repetition—seems wistfully admirable to me.

Another Day in Paradise (Trimark) evokes that sad admiration. This is one more crooks-on-drugs picture that starts with the chief crook and his girlfriend riding

FILMS WORTH SEEING

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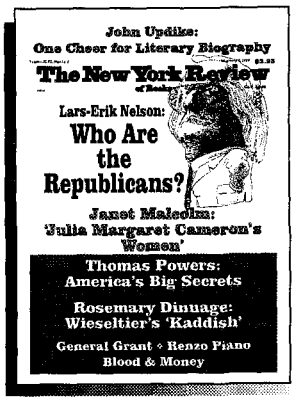

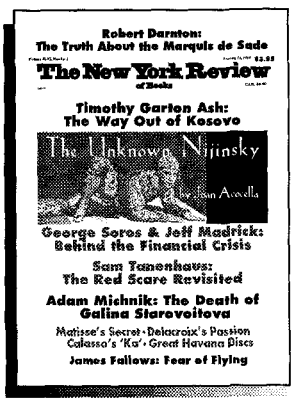
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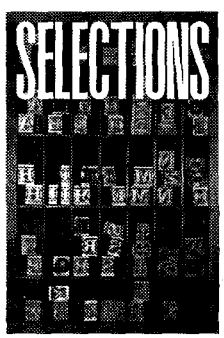

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high, top of the world, nothing can bring them down; and it ends—guess how. The screenplay by Steven Chin and Christopher Landon was adapted from a novel by Eddie Little who, we are told, is an ex-con, so we can assume that the details are accurate. The director was Larry Clark, who made *Kids*, a neorealist piece about teen-agers that purveyed shock under the license of unsparing honesty. With this latest slice off a stale loaf, Clark and his cast behave as if they were exploring something fresh. Well, at least this makes their picture watchable.

The story has to do with a seasoned thief, played by James Woods, and his mate, Melanie Griffith, who more or less adopt a quite young couple and take them along as trainees. The four performances give the picture its (spasmodic) sense of being. The two young people are played by Vincent Kartheiser, who manages to suggest that he has inadvertently stumbled into criminal life as well as into the picture itself, and Natasha Gregson Wagner, recently seen in *First Love, Last Rites*, who sustains an air of leaf-on-the-stream vulnerability.

The leading woman is the big surprise. Melanie Griffith, she with the voice like a creaky door and with the emotional flexibility of a mechanized doll, sounds here pretty much like a human being and is quite convincing in her quasi-maternal feeling for the kids. Besides, we get the unexpected treat of seeing Griffith blast a couple of people with a shotgun.

Woods, as her lover and the chief crook, is once again a phenomenon. He is a star who has not one scintilla of charisma, who makes his successful way solely through acting talent. He puts so true a being into his roles that we accept him the way we accept the weather. A large part of our acceptance comes from his enthusiasm about what he does, even a movie-munched role like this one. And that's admirable. •

Robert Brustein on Theater

A Season of Parch

With almost half the New York theater season over, managers are reporting the largest ticket sales in theater history. Inevitably, it is the spectacles that still have the greatest drawing power—and by spectacle I mean eye-popping events of every description. A lot of the box office boom has been inflated by enormous advance sales for *The Blue Room*, where people seem to be mortgaging their summer homes just to get a brief glimpse of Nicole Kidman in the raw. Not many of these offerings are the source of much artistic refreshment to an already parched season.

A new Sophocles production at the Ethel Barrymore Theatre is Electra-fying a lot of people, who are also expressing surprise over the way an ancient Greek classic has managed to become a Broadway hit. The last time this happened, I seem to remember, was in the late '40s, when Judith Anderson galvanized audiences with a pyrotechnical Medea that ran for years. Like that Robinson Jeffers version of Euripides's tragedy, Frank McGuinness's smooth colloquial adaptation of Sophocles's **Electra** provides opportunities for "great acting" by amputating most of the mythological references from the text. It's true there are not many of us left who share the religious beliefs of Periclean Athens. But you cannot fully understand the plays of Aeschylus, Sophocles, or Euripides until you acknowledge that, along with the narratives of Homer, they were the scriptures of ancient Greek theology. In Greek theaters, the orchestra area was built to house a religious altar rather than to seat paying customers. And it was not to win a Tony that the Chorus sang and danced around it.

It would be nice if modern productions afforded us even a shred of insight into why these works were written. But this is an *Electra* without the gods. The choral odes of the Women of Mycenae, which carry most of Sophocles's religious affirmations, have been considerably trimmed. And that Chorus has been reduced to one speaking character (powerfully played by Pat Carroll), accompanied by two relatively mute if attractive sidekicks, none of whom sing or dance. A program note by the director, David Leveaux, suggests why the play has been pulled from its own roots: "*Electra* is not an obscure classic, a strange story of a distant time and place and people. It is a moral struggle that resonates now from the Balkans to the streets of Omagh." In other words, you don't produce a Greek classic these days in order to expose audiences to a great matricidal tragedy. You stage it to remind them of what is in the newspapers.

At these ticket prices, it doesn't hurt to have a showy performance in the title role. Zoë Wanamaker enters the scenic desolation (unfinished brick walls, Queen Anne chairs buried in dirt, a large operating table supported by a broken Corinthian column) wearing an outsize overcoat and a white plaster mask. She removes this mask to reveal a set of ravaged features, topped with spiked and bloody hair, some of which seems to have been torn out of her scalp by the roots. Clearly Wanamaker is paying a huge price to play this role, and neither the actress nor her director ever lets us forget it. Her performance is one long hoarse wail. Considering all the emotional effort, it is unfortunate that her snub nose and saucer eyes occasionally make her look less like a wronged tormented princess than like Marcel Marceau impersonating Alfred E. Newman.

Derelict and outcast, sunk in perpetual grief over the death of her father, she pukes in disgust when confronted with her magisterial mother Clytemnestra (the regal Claire Bloom). Orestes (Michael Cumpsty looking like an Irish revolutionary) finds her "beauty has been broken and miserably disfigured," and in the recognition scene—one of the greatest in Greek tragedy—they stare at each other a moment, then embrace, Electra stroking his head, his face, his hands, before running around the stage like a crazed bird.

When I saw the Greek National Theater perform this scene, not just the brother and sister but the entire chorus embraced each other, a few single chorus members hugging their own bodies, as if to say, this is not just the homecoming of a long-lost sibling, it is the deliverance of an entire doomed nation. But Leveaux's *Electra* has been conscientiously staged around its star, which may be the reason why, for all its considerable theatrical virtues, it finally failed to move me.

At the Vivian Beaumont Theater, the Lincoln Center Theater is collaborating with Livent (US) Inc. on a Hal Prince musical called **Parade**. The economic adversities of Livent's once-hubristic empire have received a lot of press lately. *Parade* gives endorsement to the old adage that pride goeth before a flop. It is full of good intentions, earnest and high minded, even possessing a little dignity. But like a lot of efforts to endow the American musical with middle seriousness, it only proves that anything too momentous to be sung had better be spoken.

Parade concerns the horrible fate of

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an innocent Jewish man, Leo Frank, who was convicted, imprisoned, and later lynched for having murdered a young girl who worked under him in an Atlanta pencil factory. Since the true murderer was never identified (despite hints that a black superintendent in the building might have been guilty), the story provokes a kind of objectless abstract indignation. Not having a single villain to blame, the musical indicts an entire region, making *Parade* the occasion for a species of Dixie-baiting not that far from the Jew-baiting it deplores. The musical features more than your customary quota of Southern bigots, who begin and end the evening with a parade across the back of the stage commemorating Confederate Memorial Day. The first procession is a comic anachronism. (As one character remarks, "Why would anyone want to celebrate losing a war?") The second, occurring after the lynching, is a rebuke to the entire South.

I don't doubt that the book writer, Alfred Uhry, is being faithful to the facts in dramatizing how Frank's Northern Jewishness acted like a red flag to Southern Baptists looking for a scapegoat. But the facts don't always produce the most subtle drama, and Leo's forbidding manner doesn't make him a very appealing dramatic hero either. As if acknowledging this, Hal Prince, the director, has the defendant, in a courtroom fantasy number, break into one of Pat Birch's high-stepping dances, sashaying and cavorting with the three girls who falsely accused him of ogling them in the bathroom. This gives Brent Carver, who plays the part, a chance to remove his spectacles, kick up his heels, and drop his prissy characterization for a moment. But that dance is no more relevant to the action than the other efforts to strike lyrical sparks out of flintstone. Prince is obviously stuck with an insoluble problem in *Parade*, which is how to give singing and dancing to people more inclined to burning and lynching.

Parade is not a total loss, but the melodies (by Jason Robert Brown, who also wrote the lyrics) seem better suited to cotillion two-steps than to courtroom melodramatics. The musical comedy form simply does not have the weight to support a tale of prejudice and injustice. The right collaborators might have made a strong opera out of these events, like *Harvey Milk*. With this team, *Parade* only comes to life when it becomes a love story between Leo and his hitherto indifferent wife (beautifully acted and sung by Carolee Carmello).

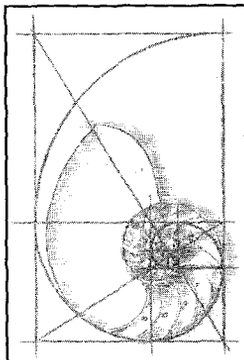
I was expecting more from Paul Rudnick's **The Most Fabulous Story Ever Told** (New York Theatre Workshop) than it eventually delivered, though this spoof of biblical stories (and Cecil B. DeMille movies) still contains some priceless episodes. (It also has the best satiric title since Christopher Durang's *When Dinah Shore Ruled the Earth.*) For one thing, the piece is too light to support its length—the two acts, barely related to each other, could easily have been separated into two different plays. For another, it features too many witticisms and too little forward movement.

I was hoping for a smart rejoinder to Terrence McNally's self-important *Corpus Christi*. What Rudnick gives us instead is an over-extended gay cabaret. Rudnick's perspective on biblical history through exclusively homosexual lenses has the same effect as Jackie Mason's squint at Gentile mores through Jewish sunglasses. It segregates the audience. This was the first performance I ever attended in which the line outside the men's room was longer than the line outside the ladies' room.

Rudnick's most inspired notion is to see the Bible as an extension of show business, putting Genesis, for example, into the context of a technical rehearsal. To the accompaniment of a rock treatment of Strauss's *Also Sprach Zarathustra*, a Stage Manager calls "Oceans, Go," "Thunder and lightning, Go," and we have the Creation of the World. Adam and Steve emerge in jockey shorts, immediately realizing they are gay and alone. Before long they learn the arts of oral and anal intercourse ("Lights 30," calls the Stage Manager, "Orgasm"), and, having been ejected from the garden, appear totally naked ("You know what this means? I have to go to a gym").

Adam and Steve are soon joined by two lesbians named Jane and Mabel ("We have vaginas, they're our friends"). After they've all been drenched by the Flood ("El Niño, Go"), Steve gets the opportunity to be unfaithful to Adam with one of the animals they've paired on the ark—a rhino. In what is undoubtedly the comic high point of the evening, these gay Hebrews appear before a gay Pharaoh (hilariously spoofed and poofed by Peter Bartlett) and threaten him with the plagues of Exodus, the worst being "the media." The act ends with the "miracle" of the Virgin Birth, as the three "wise guys" bring Jane and her baby myrrh and frankincense.

There are echoes here of Monty Python's *Life of Brian*, not to mention Thornton Wilder's *Skin of Our Teeth* and Mel Brooks's *History of the World, Part One.* But Rudnick has such an uncanny eye and ear for sexual absurdity that much of it, in Christopher Ashley's witty production, still seems fresh and original.



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The second act abandons its amusing biblical setting for a modern New York apartment at Christmastime, which means that Rudnick will now be examining not the biblical but the modern plagues of human existence. Steve has contracted AIDS, Jane has become a Vegetable Rights activist, and Mabel ("I'm not supposed to be pregnant, I'm a bull dyke") has agreed to have a baby with Jane. (A female Mormon, an easily embarrassed comic foil, hovers around the Christmas tree, trying hard not to be shocked.)

Jane and Mabel are married by a handicapped lesbian Rabbi who carries the play's metaphysical message: "Why do good things happen to bad people?... I'm in a wheelchair and Saddam Hussein is in a Mercedes." Following considerable labor, Mabel is allowed to experience the miracle of birth ("Fuck, shit, piss, get it out of me!"). Steve, on an AIDS cocktail of 28 pills a day, is doomed to die, leading to a tearful farewell with Adam. The emotion is unearned, a heavy conclusion to a rakish cabaret, as if we were suddenly being asked to sympathize with the medical history of two standup comics. But most of this show is fun.

With **Side Man** (Golden Theater), Warren Leight had a wonderful idea for a play—to trace the evolution of society and the disintegration of a marriage through changes in the styles of popular music. Gene (played by Frank Wood) is a white horn player, unknown to the public but much admired by other musicians, who compare him to greats like Dizzy Gillespie. None of them play for fame and money but rather for each other. And throughout the play, Gene is desperately trying to find work and creative fulfillment in jazz clubs or with such swing bands as Claude Thornhill's and Charlie Barnett's, at a time when Presley and the Beatles are beginning to revolutionize the nature of popular music.

Encased within this pattern of social change is a very personal domestic story, told by Gene's son Clifford (Christian Slater). It is the story of Gene's marriage to Terry (Wendy Makkena), and her growing decline into paranoia and alcoholism. A former flutist herself, Terry is nevertheless determined that Gene give up music and find some gainful employment. And it is not just because he finds this unacceptable that Gene is alienated from his wife. He simply has no affect outside of his music, no feeling for anyone other than his musician friends, one of whom, having scored some heroin ("I gotta see a man about some horse"), is imprisoned for eight years.

As a former sideman myself (tenor and clarinet), I can testify to the accuracy with which Leight has drawn his characters, and his nostalgia about the end of the Big Band era is a feeling I share. In Gene, Leight has created a kind of neglected American hero, a man who "senses everything when he is blowing and almost nothing when he's not." That elegiac note drenches the play in a wash of melancholy and loss.

Side Man resonates with echoes of *The Glass Menagerie*, particularly in the way young Clifford addresses the audience about himself and his family. And the tortured marriage of Gene and Terry bears a certain resemblance to that of James and Mary Tyrone in *A Long Day's Journey Into Night*. As directed by Michael Mayer, this year's favorite director (last year it was Scott Ellis), some of the acting would not be out of place in *Seinfeld*. But despite the mugging and the overplaying among the musicians, Mayer has pulled an understated performance out of Christian Slater, a ferocious one out of Wendy Makkena, and a really lovely one, full of modesty and suppressed power, out of Frank Wood, who well knows how to reveal a character piece by piece rather than all at once. *Side Man* doesn't successfully achieve all its goals, but all of its goals are worth achieving, which makes it a very welcome tonic in a season of parch. •

Making billions and misunderstanding the market.

The Amateur

By Robert M. Solow

One important virtue of our system of academic research institutions is the harsh, unremitting criticism to which new ideas and old chestnuts are routinely exposed. High status in that environment comes with published research, and only with published research. And published research, no matter what its source, maybe even more so the more prestigious its source, is aggressively scrutinized, criticized, checked out by rival research groups, by junior faculty looking for advancement, by graduate students in search of thesis topics. The ordeal begins before publication. Between July 1, 1996 and June 30, 1997, one premier scholarly journal in economics received 976 manuscripts, accepted 17, and rejected 555, leaving 404 still in process. Every little article fights for its life.

It is all a bit like the Invisible Hand: self-interested competition leads to intense criticism, because successful criticism wins lots of academic brownie points and buys fame if not fortune. The process doesn't always work well, again rather like the Invisible Hand. Schools of thought tend to be convinced of the validity of their own ideas. They can sometimes mount a stubborn, prolonged defense of conclusions that eventually, in the end, turn out to be indefensible. Unorthodoxy can be brushed off, for a while. Monopoly can be maintained by appeals to habit and prestige. The "softer" the subject, the truer this is. On the whole, though, it is hard to get enduring credit for defective or unoriginal work. Even if the system does not always function optimally, it at least encourages self-policing.

The Crisis of Global Capitalism: Open Society Endangered
by George Soros
(Public Affairs, 245 pp., $26)

Unfortunately, George Soros does not profit from this kind of discipline. It may even be the other way round. He is, after all, an extraordinary person. He has been a fabulously successful speculator. He is genuinely disturbed by what he sees as the encroachment of market attitudes and market values on areas of behavior where decency once reigned.

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He has become a generous, original, hands-on philanthropist. Scientific research and higher education in Eastern Europe and Russia owe a lot, perhaps their very survival, to the Soros Foundation. He deserves full credit for what he has done. The problem is that anyone who has made billions of dollars, made more billions than he has lost, and then given a lot of it away, is more likely to attract sycophancy than criticism. It shows. I have to report that Soros has written an embarrassingly banal book.

As I understand it, his original intention was to write down his most general thoughts about the nature of capitalist society, about the benefits and the dangers that it brings, and the reasons why earlier thinkers have mostly missed the point. This stately intention was overtaken by the financial crisis in Asia and then in Russia, in both of which Soros had some practical, personal involvement. He could not pass up the opportunity to use his theoretical insights to illuminate the essence of those events, and so the book acquired a Part Two, and was rushed into print.

According to Soros, there are "three key concepts on which all my other ideas—and most of my actions in business and philanthropy—are founded." The first of these is "fallibility," which means "that our understanding of the world in which we live is inherently imperfect." If this strikes you as utterly commonplace, you are not alone. It is only necessary to think what it would mean to deny the axiom of fallibility. Even those economists who take a formal clockwork view of the working of the economy understand perfectly well that the reality behind this idealization is complex, uncertain, and incompletely knowable. The rock-bottom degree of imperfection of understanding is different, of course, in chemistry and in sociology. You might believe someone who professed to know all about salt; but a cocktail-party companion who claimed to know everything about adolescence, or the business cycle, would have you looking around desperately for someone else to talk to.

Soros's second key concept is "reflexivity," and it explains one important way in which chemistry and economics differ. Human action is based on perceptions about the way the world works, if only because the actor has to form expectations about the likely consequences of an action. In a society and in an economy, actions based on expectations determine events and outcomes, even constitute events and outcomes. And then those very outcomes go on to affect perceptions. So that is how it goes: perception, reality, perception, reality, perception.... If this strikes you as another commonplace, you are still not alone.

But I need to say more about this, because Soros seems to think that mainstream economic theory is founded on ignoring or denying the importance of reflexivity, and fails in important respects for that very reason. In fact, he goes on to say that reflexivity is destructive of the whole idea of "equilibrium," and that concepts of equilibrium play a fundamental role in economics. This is simply erroneous. Even economists are not so obtuse as to have failed to notice that perceptions and misperceptions affect events, and are modified by events.

Soros correctly excepts Keynes from this charge. Now, I am no student of the history of economic thought, but I remember from graduate school that Keynes's old rival, the stalwart Marshallian A.C. Pigou, in *Industrial Fluctuations* (1927), created a whole story about the genesis of the business cycle out of waves of optimism and pessimism induced by reflexivity. That was not an isolated instance. The same idea is absolutely ubiquitous in economics. Someone should have called Soros's attention to this fact.

The notion of reflexivity even fits very nicely with the concept of equilibrium. There is a standard notion of expectational equilibrium: it comes about when perceptions lead to actions and events that confirm and strengthen the original perceptions. Here is a simple but important example. You can easily imagine a situation in which most business firms expect the economy to be weak and sales to be poor. They will cut production, lay off workers, order fewer parts, and thus bring about a situation in which the economy is indeed weak and sales are indeed poor. Their initial pessimism is confirmed. If market participants had been optimistic, however, it is conceivable that their actions would have brought about a much better state of affairs, and once again initial perceptions would have been confirmed. There are thus (at least) two possible expectational equilibria.

Of course, there is no guarantee that any such equilibrium will be achieved, even if it exists. That is what much of economics is about. The point is that the mainstream is full of stories like this, except that many of them are worked out in much greater detail. No low-net-worth academic economist could hope to get away with deep-sounding but unchecked generalities such as those peddled with such oracular confidence by Soros.

I will not say much about his third basic concept, "open society," which is essentially a case for modesty instead of either perfectionism or laissez-faire in governance. It is borrowed, with minor amendments, from Karl Popper; it makes sense; and it actually does not figure extensively in the book. But there is a last theoretical construct to mention, what Soros very modestly describes as his "theory of history." He invokes it from time to time as the source of various insights, decisions, and conclusions, first in the context of financial markets and then in history in general.

In form, Soros's theory of history is a "boom-bust" story. I want to be fair about this, so I shall quote at length. The story begins with a "prevailing bias," some sort of perceived trend or fashion. "In the initial stage (1), the trend is not yet recognized. Then comes the period of acceleration (2) when the trend is recognized and reinforced by the prevailing bias. A period of testing (3) may intervene...." Bias and trend may "emerge stronger than ever (4). Then comes the moment of truth (5) when reality can no longer sustain the exaggerated expectations, followed by a twilight period (6).... Eventually a ... point (7) is reached when the trend turns down and the bias is reversed, which leads to a catastrophic acceleration in the opposite direction (8), commonly known as the crash." Still, "there is nothing determinate.... The various stages may be of various amplitudes and durations.... The process may abort at any time; indeed it may never get started.... In more cases than not, the reflexive feedback mechanism is self-correcting rather than self-reinforcing. "And later on: "Most historical developments do not have a regular shape or pattern at all. That is because reality is infinitely complex and any process we may single out for attention interacts with a number of other processes."

By the standards of any discipline, this is not a theory at all. It has as many escape clauses as it has claims. You could use it to tell the story of an Asian financial crisis or of a crisis that never happened; the woodcutter could rescue Little Red Riding Hood, or maybe not, or the wolf might not show up at all. As they stand, these are statements that could apply to any cycle, or to some cycle that wasn't. It is hard to imagine how Soros's business decisions could be guided by so pliable a framework. I suspect his intelligence and his intuition do the guiding. The "theory" is at best a high-flown way to tell the story afterwards. It is also a reminder that no one knows in advance how things will turn

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out; and this is certainly useful for anyone afflicted with over-confidence.

The second half of Soros's book, about the Asian and Russian crises, is naturally somewhat better, because it is more concrete. Soros knows about international financial markets, and he sounds like the expert insider that he is. The best point that he makes is an important one. In a world characterized by easy mobility of capital and the existence of enormous pools of liquid funds willing to go anywhere, anytime, in search of a few basic points of advantage, speculative bubbles can easily form and burst. Herd behavior on this scale can easily overwhelm national regulatory institutions, and may be more than a match for some international institutions. The result can easily be instability.

Moderate amounts of speculation are often stabilizing: if interest rates are higher here than there, funds will flow from there to here, pushing down the yields here and raising them there. On a larger scale and at higher speeds, however, overshooting in one direction can turn into panic flows in the opposite direction, and then somewhere else, until whatever orderliness there is crumbles. Soros's favorite metaphor is a wrecking-ball destroying something here, then there, with no apparent system. The metaphor is apt. When Russian bonds collapsed in value, the lenders were subject to margin calls; they naturally sold off the least promising assets they had, which turned out to be Brazilian paper; so the panic was transferred to Brazil.

Speculative markets can perform very badly at the system level, and Soros makes this important point very well. But when he tries for deeper explanation, the tendency to platitude reappears. I will give three examples in which the important questions are either not asked or not convincingly answered. The first is the case of Japan, whose long continuing depression is obviously damaging to the smaller economies in which Japan normally invests and from which it normally imports. Soros has only a few superficial remarks on the causes of the Japanese slump and the obstacles to reflation and recovery.

The build-up and the collapse of the Japanese real-estate and stock-market bubble is a good example of the instability about which Soros warns. The sudden evaporation of all that paper wealth forced retrenchment on consumers and business firms, and exposed many banks as reckless or corrupt gamblers. This much is obvious. Now come harder questions. What should the Japanese government have done then? Why didn't they do it?

By now the Japanese economy has dug itself a deeper hole. Interest rates are near zero, but fears of deflation make perceived "real" rates much higher. Nobody dares to borrow for productive purposes. So what is the most effective way to reflate and to expand the Japanese economy now? I say permanent tax reduction and direct infrastructure investment. Revival in the rest of Asia will be difficult as long as Japan is depressed. But thus far, intellectual, ideological, and political paralysis have left successive governments dithering. On all these matters, however, Soros is essentially silent.

Second, it is important to understand the connection between "real" events in countries like Korea and Thailand and the speculative attacks on their currencies and their financial institutions. How important was it that Thailand was throwing good money after bad real estate, or that Korean banks were borrowing short-term in foreign currency to finance misdirected long-term investments in Korea, believing all the while that the government would bail them out of any trouble? Or was the crisis more like a pure run on a bank that can be set off by any accident or rumor? You will not learn very much in these pages, except for vague hand-waving.

This issue is especially important because Soros's main positive proposal for controlling global financial instability is the establishment of an International Credit Insurance Corporation that would protect lenders to countries such as Korea, Thailand, and Brazil against downside risk. This idea is discussed only briefly in the book, but Soros has floated it elsewhere. "Insurance" is the wrong word here; but this abuse of language is becoming common. Insurance is the pooling of risks. We know about how many fires there will be, but we do not know whose house will burn down when. Homeowners pay a fixed premium into a pool, and the pool reimburses those whose houses burn down. A little comes off the top for the costs and the profits of the insurance company.

In the case of Soros's new institution, the money would come from taxpayers in the rich countries. So it is not exactly insurance. Apart from the difficult problems of supervision and allocation, the main danger with any such scheme is "moral hazard." People with fire insurance are probably a little less careful about matches, flammable materials, and the like, because they know they are protected against devastating loss. Analogously, one has to worry that lenders will be less careful of the credit risks they incur if they can count on the new institution to bail them out. God knows they were not very careful in the lending spree that led up to the meltdown. It might be more helpful if some of those lenders actually took a loss now and then.

Third, could the crisis have been averted if some Asian economies had not been pegging their currencies to the dollar? Obviously the peg is a dangerous potential source of instability. Mere rumors that the peg cannot be sustained will be self-fulfilling: if everybody tries to get out before the devaluation, as it is perfectly rational for them to do, the mass outflow will force a devaluation that might not otherwise have happened. And the "success" of each such speculative raid on a pegged currency makes it more likely that the next one will happen, and will succeed. But the pegs had a purpose, to eliminate exchange risk as a factor in the investment decisions of foreign firms, and thus to attract needed foreign investment. There is at least a policy question to be answered; I think exchange rates should be allowed to float, with occasional "dirty" interference. Soros certainly understands this dilemma, but again he has nothing serious to contribute.

In fact, he is even more disappointing when it comes to the most pointed immediate question of international financial policy: should governments try to block destabilizing speculation by controlling the inflow or outflow of capital across national borders? It appears to be the official American position that it is always a Good Thing to open up capital flows where they are closed, and to keep them open where they are open.

The argument is this. "Long-term" foreign investment—that is, equity investment in host-country firms and direct investment, the building of new plants within the host-country—are always beneficial to the economic development of the host country. They increase its productivity. Even if short-term speculative investment were almost pure nuisance, just a dangerous way to gamble, it would be unwise to try to curb it. The existence of a free short-term market is a necessary comfort to long-term investors, because it assures them an exit strategy if the situation changes, and allows them to hedge some risks. Anyway, it is in practice impossible to filter out "speculative" capital flows without at the same time interfering with "productive" capital flows.

This position is not completely convincing, least of all if inflows rather than outflows are controlled. Soros is obviously skeptical of the official wisdom, and he is far more familiar with the practical issues than I am. After a few scattered tactical remarks, however, he

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concludes: "It should be possible to curb speculation without incurring all the harmful side effects of capital controls." Which merely begs the question.

The trouble with this book is not that Soros doesn't know a lot about international finance. The problem is that he wants to be a philosopher, indeed a sort of philosopher-king. In straining, he reveals a fundamental difficulty with the role of philosopher-king. It is too damn hard. •

The Ikette

By James Wolcott

My Pilgrim's Progress: Media Studies, 1950–1998 by George W. S. Trow

(Pantheon, 278 pp., $24)

George W.S. Trow takes his sweet time teeing off in *My Pilgrim's Progress*, a sequel of sorts to his cult tract *Within the Context of No Context*. He has a lot more to say in this book, and he doesn't intend to be hurried. First published in 1981 and reprinted in 1997 with additional material, *Within the Context of No Context* is an ominous merry-go-round study of media malaise—a series of diagnostic readings of the significant insignificance of such popular phenomena as *Let's Make a Deal* and *People* magazine, linked by recurring deadpan subheads that serve as signposts: Important Programming ... The Cold Child ... Defacement.

Admirers of *Within the Context of No Context* found it an odd, compelling fugue of old-fashioned humanistic concern and cosmic detachment—a wake-up call crossed with the I Ching. Through his mantras, Trow sought to convey that television is a self-perpetuating, self-mimicking mini-spectacle, which presents an endless series of incomplete gestalts that leave audiences perpetually stimulated and dissatisfied. "The cold tease of television," he called it. Nothing is ever resolved because television, unlike movies and books, never comes to a complete stop. There is always something new on. "The work of television is to establish false contexts and to chronicle the unraveling of existing contexts; finally, to establish the context of no-context and to chronicle it."

Trow's robotic tone and oracular riffs—"The message of many things in America is 'Like this or die.' It is a strain. Suddenly, the modes of death begin to be attractive"—inspired comparisons to Susan Sontag's "Notes on Camp" and even to Theodor Adorno's *Minima Moralia*, and the book seemed to appeal most to anxious literary types for whom the ubiquity of TV is an alien occupation, a collective brainwash turning everyone (except them) into lockstep zombies. "George Trow literally infiltrates us with the unspeakable Ritalin-like nature of our official selves," one overwrought writer blurbed. To me, for whom TV is a given, *Within the Context of No Context* seems in retrospect less a work of pop sociology or media criticism than a virtuoso performance piece—a broken stream of impressions more in tune with precariously balanced, essayistic fictions of the 1970s and 1980s such as Renata Adler's *Speedboat*, Elizabeth Hardwick's *Sleepless Nights*, and Donald Barthelme's stories than with any dense thuds from the Frankfurt School. For urban aesthetes, beautiful, dying sentences provide the only buttress against the impositions of a boorish world.

In his new book, however, Trow has traded in his scalpel for a flyswatter, idly slapping at anything that draws his attention. Urgency has been replaced by an air of sweet futility as Trow indulges in the quaint whimsicality of an old-boy essayist in an easy chair; and not E.B. White in his pithy mode, either. The fluorescent prose of *Within the Context of No Context* has reverted to baroque drips of candle wax. In his long introduction, which he helpfully labels "A Long Introduction," Trow indulges in so much throat-clearing and rhetorical fidgeting ("The other day I had a thought, and then after I had the thought, I thought, Well, this can't possibly be true, and then I thought about it some more, and it was. True, that is") that you wonder if the book will ever get out from under its master's petting hand. Some passages are gussied up with ironic caps ("All of the Above Elements had to be part of Some Whole, and that Whole had to be what *I* was") or breathy italics ("However, the more the reporter came to understand the *subtext* and *history*, the more the *text* of the story became legible to him, and to the reader; and the more *elaborate* the story became, the *simpler* it was to read"); others reflect the decorous commadoting of *The New Yorker*, where Trow was a longtime staff writer (alluding to Alfred Hitchcock's *Saboteur*, he writes, "It's a very moving, to me, scene, because, as I say, the film was released in the year of my birth, and this kind of character never appeared, as far as I can recall, in a Hitchcock film again"—a sentence that seems to button itself up).

Trow wishes to maintain the illusion that he is mulling out loud here, holding court and stringing anecdotes together into a deceptively loose Spalding Gray-like monologue that combines personal history and social commentary. "Not quite free-associate; my mind doesn't work that way," he cautions. "I just trust the circularity of it." Even so, the trouble with this ruminative tack is that it's easy to go off on tangents or descend into pure dither. Anything to avoid dead air.

A lot of *My Pilgrim's Progress* does rustle with stage business: "I made some notes on the C-SPAN program, and I have them sitting in front of me, so, using my usual technique of pursuing what comes to mind, I'll go through them." Another chapter is devoted to the proper folding and perusing of *The New York Times*, a paper Trow regards as holy writ. "*The New York Times*. Our National Treasure. Our Marilyn. Our Elvis. In other words: *What We Have*. People who complain *murderously* about the *Times* ought to be shot. We all ought to pray for the continued financial well-being of the Sulzbergers." Somehow the reader feels that the Sulzbergers will continue to do *just fine*.

Trow might get away with this loose impersonation of a man dipping into the old grab-bag if his underlying grip were firm, but his slack posture leads to sloppy mistakes and dubious stretches. "Let me pause here," Trow digresses during one of his digressions, "so we can get a sense of this assumption of the dominant-mind business from our contemporary landscape. Two days ago I saw a contemporary American mainstream artifact called *Real Life* on MTV." Whereupon he springboards into an impromptu speculation about the sort of woman who would work on such a show, and the generational mentality that she and it represent.

The contemporary American mainstream artifact that Trow is adducing is actually called "The Real World," a series that has been running for years on MTV

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and has generated its own tie-in books, not to mention inspired countless parodies. It is not an obscurity. Getting the title wrong isn't a mortal error, of course; but it becomes irritating the more it is repeated ("And as she walks down the street to her job at MTV, to produce yet another episode of *Real Life,* she must wonder about *her* real life"), giving the impression of an author winging it a little too cavalierly.

In another chapter, Trow tries to connect *Roman Holiday,* the adolescent awakening of John Lennon ("So John Lennon sees *Roman Holiday*—I don't know that he ever did, but if he did he looks at it and says, 'Well, that's just the kind of shit my mother buys....'"), a high-school athlete's suicide, and Bret Easton Ellis's *Less Than Zero,* only to trip over the coils, like a man getting tangled up in garden hose. He is so avid to collect examples of cultural decline that he creates an evidentiary mess.

Which is not to say that his sense of cultural decline isn't deeply ingrained. Beneath their media-browsing, *In the Context of No Context* and *My Pilgrim's Progress* are both rooted in an Edenic myth of America. "Wonder was the grace of the country," runs the opening sentence of *In the Context of No Context,* a book which (according to Honor Moore) "staked the tragic parameters of paradise lost." Some might argue that paradise lost began with the introduction of slavery to our shores and the extermination of Indian nations, but to Trow and his admirers, creatures of their time as much as anyone else, America's wrong turn happened before their eyes, with the primitive advent of television.

The land of Lincoln shrunk to the size of the living room, where glazed eyes fixed on "The Howdy Doody Show." A freckled, tow-haired puppet, Howdy Doody (whose name Trow misspells) was the first artifact of a kiddie culture incubated in the bleached light of the television studio. Bargain-basement programs such as "Howdy Doody" and "Captain Video" became the baby-boomers' babysitters, stunting and dimming the wonder of their imaginations and transforming childhood itself into an exploitable demographic. It was hobbling, being an honorary member of Howdy Doody's Peanut Gallery. "My generation thought of itself as being marionettes, and not very attractive or ambitious ones [ambitious marionettes?], being pulled by strings, wooden, dressed in a little cowboy outfit or whatever it was...", Trow recollects. I myself wouldn't go to school until I had finished watching "Captain Kangaroo," though I don't recall being pursued by any identity issues at the time.

Interestingly, Trow doesn't view the bland paternalism of these shows as emblematic of the Eisenhower era, but as a betrayal—a termite invasion. Although Eisenhower's two-term presidency is often dismissed as a hazy lull of soulless prosperity and mindless conformity in which the country was put under anesthesia, Trow sees it as the last great flag-ripple of simple American glory. We had a hero in the White House who brought honor to the office. Unlike many of his generation who attended college in the '60s, he does not disdain Eisenhower as a fuddy-duddy relic, a distant relation. "I like Ike," he says, echoing the campaign slogan, and *I Like Ike* is the proper title for his book, whose cover bears the smiling face of Dwight David Eisenhower. Trow doesn't merely like Ike, he loves him, he lionizes him. He is Ike's number one Ikette.

World War II commander, two-term president, "social avatar," the American eagle made flesh, Eisenhower strides through these pages as the postwar imperium's Mr. Clean, his beneficent bald pate radiating a crown of light. "He isn't the Western liberal arts man's idea of a great man, precisely because there isn't much of suffering about him, and we presume a certain martyrdom, a certain something painful, we more or less require it from our Western rulers. He was Confucius's ideal—he had luck—and to enter a Confucian mode for a moment, let's say that it is a wise people who allow themselves to be ruled by someone with luck. Queen Elizabeth I had it; so did Ike. He'd walked through a charnel house with perfect composure." Trow cannot praise Eisenhower's unerring steps enough:

> He was Balanchine, in a way. Just an extraordinary individual who moved through this, that, and the other. He was Balanchine, only instead of Balanchine, he was Ike. And instead of being the hero, despite all the theories of democratic whatever, for a lot of ballerinas and ballet boys, he was the hero, despite a lot of democratic whatever, for a lot of Americans. I like Ike.

Even in a book this idiosyncratic, it is insulting of Trow to pluck such fluff out from between his ears and pass it off as a thoughtful comparison. Never mind Eisenhower: it is demeaning to Balanchine, whose choreography conveys the whirring speed of sonic-boom America, to salute him as ballet's Mr. Lucky. And Trow's self-consciously couldn't-care-less phrasing ("democratic whatever") indicates that he treasures himself so highly as a stylist that he considers even his anti-style stylish.

What Trow likes most is that being leader of the free world never went to Ike's head. He remained natural, the most difficult thing to do in the ego-inflating summits of military and political rank to which he ascended. He retired from public life with the same modesty with which he conducted himself in it. "And because I take the dead so seriously, I take note of the fact that when Ike retired he went to Gettysburg, where all the suffering of the Civil War is around you; and please note that the really fairly modest house the Eisenhowers lived in Gettysburg was the first house Ike ever owned. This isn't a guy in a mansion on a hill. He was just Ike, but that was plenty."

If Eisenhower is the Apollonian hero of this story, Elvis is its Dionysian dynamo. His appearance on Tommy and Jimmy Dorsey's "Stage Show" in 1956 was the wrecking ball that razed the corny radio/vaudeville/USO-show entertainment edifice that was still standing after World War Two. "On *Stage Show* the Dorseys presented themselves as something from the hall of fame of popular culture. They had jugglers, they had tap dancers, it was just the standard stuff that adults had grown up on, and Elvis came into that.... Elvis came into it, and you know—I hope you know what Elvis was like when he was twenty-one years old, and he *was* twenty-one—and he wasn't dressed like Liberace, he was dressed to kill, and he *did* kill. He killed *Stage Show,* and everything it represented, in a moment." With a snap of his fingers! This performance marks a major Rubicon-crossing in popular culture. "So, before January 1956, you simply had no Elvis energy. After January 1956, you had a lot." Elvis ushered in and embodied the first exuberant rush of "Pure Vitality"; and for once Trow's caps seem apt.

But the released Elvis energy proved to be a genie with nowhere to grow. Trow recounts how Elvis showed up on the set of his first film, *Love Me Tender,* having memorized not only his own lines but the entire script. "He's here to learn. And someone asked him about his experience after the first days of shooting, and he says that he discovered when he showed up that no one was going to tell him anything. That no one addressed his needs as a learner. He was there to provide a certain kind of drop-dead popularity energy, and that's all they wanted out of him. Well, that was his tragedy. As far as he was concerned, he was on a journey through life, he had a talent he was unabashed and positive about; he felt that gave him a card of entry into something, and when he got there, no one said a word. He was on his own."

This is one of the sub-themes of Trow's

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elegy, that at some vague but decisive moment in the '50s the sense of initiation and instruction was lost, leaving everyone to fend for themselves. (He has a nifty paragraph describing how sheepishly embarrassed young actors look at the Academy Awards ceremony today, like members of a freshman class at a college that doesn't exist.) It wasn't just Howdy Doody jerking around on his strings. The social fabric was perforated by the BB pellets of a million desperate little egos in need of constant attention. Celebrity became a self-contained yet amorphous galaxy, lack of talent or dues-paying experience being no drawback to admission. Trow cites a '50s television hostess named Faye Emerson, who became "our first personality known for being a personality," the pioneer example of Daniel Boorstin's definition of a celebrity as someone who is famous for being well-known. (Faye Emerson was the forerunner of Vanna White.)

The triumph of TV celebrity over the theatrical work-ethic of dedicated troupers is demonstrated to a fare-thee-well in *All About Eve*, Joseph Mankiewicz's witty buffet of backstage Broadway intrigue, in which Anne Baxter's upstart Eve Harrington dethrones her mentor, Bette Davis's Margo Channing. To Trow, the deeper seismic shift in *All About Eve* is the overthrow of temperamental vanity (Davis's Channing) by cool narcissism (Baxter's Harrington). "The shift from a society of vanity to a society of narcissism—not a small shift, vanity being one of those things, like sexuality itself, that humans are called upon to accept as part of their condition, and narcissism being something from another planet—you know, a situation in which you deny the existence of other people—and Mankiewicz is indicating not just that there is a devolution in American character but that this devolution is henceforth going to be at the top of the American cultural hierarchy."

Studying the side effects of chronic narcissism provides Trow with his best bits in *My Pilgrim's Progress*, as he seeks out signs of suffocating humanity beneath the glossy masks that TV has made mandatory for public faces. Watching the comedienne Joan Rivers pitch costume jewelry on a home-shopping channel, Trow notices that Joanie isn't her usual scrappy self:

> But then the pansy pins came on, and she suddenly found a way to get into it, and she said, "Does anyone know where the word pansy came from. It has to do with *Pense-moi*. 'think of me.'" [And] she kept on saying it over and over again, "*Pense moi, pense-moi, pense-moi,*" and it was extraordinarily poignant, and a little crazy. It seemed to me that as she was saying it, she was saying, "Please think about me, please think about me, please think about me, I'm in trouble here."

His scorn is reserved for those showoffs who lack any nagging remains of conscience and chant *pense-moi* in complete faux innocence, such as Garth Brooks, the Al Jolson of country ham. The worst offender and the most narcissistic bubble boy is the movie producer Robert Evans, who in his memoir *The Kid Stays in the Picture* boasts about having Henry Kissinger attend the première of *The Godfather*. Evans reflects that he persuaded Kissinger to come up even though he was very busy in Washington, and that after the première Kissinger went to a meeting in Washington in which he ordered the bombing of Haiphong. "Well, this is just not something that a sensitive man would write," observes Trow. "Anyone in any reflective mood would juxtapose the vanity of a movie première and the horror of this event and come up with some notes on the character of Henry Kissinger; but simply to present it as a social triumph is something too ghastly."

Such pointed rebukes and moral outbursts provide the most bracing moments in Trow's book, which too often reads like the world's longest old-fashioned *New Yorker* "casual," sort of a disillusioned male counterpart to The Long-Winded Lady who used to make so many appearances in The Talk of the Town. Like Maeve Brennan's Long-Winded Lady, Trow feels defeated by progress, by the disappearance of familiar landmarks and faces, by the prospect of twilight. He falls into a generalized funk regarding the current scene, going over old ground (his days at Studio 54, the New York World's Fair) as if afraid of floating away altogether.

It is futile, I suppose, to recommend that he watch "Buffy the Vampire Slayer" or "Just Shoot Me" to relieve his doldrums, because he considers his doldrums an integral part of his intellectual luggage. Like so many books published today, *My Pilgrim's Progress* is a civilized person's *cri de coeur*. Social observers from the late Christopher Lasch (*The Age of Narcissism*) to Neil Gabler (*Life, the Movie*) have expressed dismay at the red-carpet displays of rampant egotism in pop America, and there is no dearth of pundits lamenting the rise and spread of the tabloid mentality, though few have worked themselves up into the dismal frame of mind Trow does.

Like Neil Postman, another media watcher, Trow believes that we are amusing ourselves to death. Even ironists are conning themselves thinking they can slum with the bottom-feeders without drowning. "There is no *good* tabloid approach," he asserts, and he warns that, like Walter Winchell's son, who committed suicide, "America will die by *its* own hand unless it puts the tabloid mind away. If you have a tabloid addiction, if you swim in its ocean of denial, Walter Winchell is *your* father too." For Trow, America itself is sinking in denial, the last visible tip of a dying legacy. In a breathtaking aside during a discussion of Alfred P. Sloan Jr.'s *Adventures of a White Collar Man*, he writes: "My assumption is that this century is a failure, a great big disaster, and that we're not really going to need access to T. S. Eliot's '*reconciliation*'—to the idea of an Anglican, upper-class, Mandarin point of view—because that civilization is gone."

But wait. If the century is a failure, an epic disaster, it is difficult to see how popular entertainment or the tabloid mentality deserves the primary blame. The wholesale slaughter of the First World War, the Holocaust, the Stalinist terror: none of these horrors were the product of show business run amok. The ethnic strife, the civil wars, and the territorial expansion that result in streaming refugees and mass graves almost always represent long, and deep, movements born in local history, geography, and conflict; the worst atrocities occur off-camera, in killing fields that journalists usually do not reach until too late. In our own time, Matt Drudge and Jerry Springer, novelty-store items of plastic vomit though they may be to many, are minor pests compared to Pinochet or Pol Pot. True power is exercised off-camera.

Like the couch potatoes and the tabloid junkies whom he shuns, Trow—though recognizing that the television screen and the printed page can only transmit the barest sliver of reality—insists on mistaking the programs that he watches and the articles that he reads for the actual sweep of events. He lives in a meta-world of idealized action figures operating against a microdot backdrop. If Ike were president, says Trow, he wouldn't tolerate a permanent homeless population or guns in schools. The only concrete advice that Trow offers to future occupants of the White House is that they stop chumming around with celebrities. It isn't bad advice (no more Markie Post and Linda Bloodworth-Thomason jumping on the Lincoln bed), but it is a small and quixotic gesture given how far gone Trow thinks the country is.

Everyone is entitled to his own nostalgia. But the truth is that Eisenhower didn't stand up to McCarthy, and Presley

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didn't stand up to anybody. ("He made no sacrifices, fought no battles, suffered no martyrdom, never raised a finger to struggle on behalf of what he believed or claimed to believe," as Albert Goldman concluded in his epilogue to *Elvis: The Last 24 Hours.*) Sugarcoating the past is unworthy of someone with Trow's brilliance. Because he *is* brilliant when he's getting off perceptive shots at cardboard phonies and pious platitudes. He is a much better drive-by critic than he is a cracker-barrel historian. His criticism is not *sustained*, which may also be due to a poor attention-span brought on by too much self-inflicted TV; but it provides a sporadic diversion from the hero-worship of Ike. The disorganization of *My Pilgrim's Progress* is its biggest handicap, yet a more organized book would not have offered Trow so many opportunities to pop off. The pleasures of this book are almost all incidental.

JAMES WOLCOTT is a contributing editor of *Vanity Fair* and the author of a novel to be published next year by HarperCollins.

Family Values

BY FRITZ STERN

The House of Rothschild: Money's Prophets, 1798–1848 by Niall Ferguson

(Viking, 648 pp., $34.95)

The house of Rothschild had many mansions, but it was one house—and this gave it unique power and allure. The dynasty began toward the end of the eighteenth century in the dank Judengasse of Frankfurt, where Mayer Amschel Rothschild and his wife Gutle Schnapper begat nineteen children, of whom ten lived, five sons and five daughters. The founder, as he came to be called, began humbly, burdened by all manner of disabilities leveled against the Jews, as a dealer in antiquities and coins, and as a creditor to a neighboring spendthrift duke. But his greatest investments were his five sons, the oldest of whom he retained in Frankfurt, the four others dispatched to major cities in Europe. Together they built a partnership in international finance that was destined to become the greatest private financial combine that the world had known.

Their fortune became legendary, their power real and also mythical—not unlike the contemporary legend of Napoleon, the parvenu genius who crowned himself emperor and embodied what was his greatest promise: "careers open to talent." The Rothschild dynasty began its rise in the revolutionary years of Napoleon's reign. Like him, they were ruthlessly ambitious, and possessed abundant talent; and they created an empire that outlasted his. They were exalted and excoriated; they were (and they have remained for two centuries) a presence in the Western imagination.

Balzac, Heine, Disraeli, and many others wrote about the Rothschilds, *en clair* or in disguised form. Pamphleteers sought to unmask them, and historians and biographers tried to grasp parts of the story. Niall Ferguson, a young scholar at Oxford, is the first historian to be given full access to the archives of the London branch of the house of Rothschild. He was offered a treasure trove—and he has had the discipline and the intelligence to place this gold in its historical setting. Ferguson's book has an understandable English slant, the more so as the London archives supply so much of the novel material; letters from Nathan Rothschild were largely destroyed, but the Rothschilds were inveterate correspondents, and the London archive remained a great depository. Ferguson has also found Rothschild material elsewhere, including in the newly opened Russian archives, with papers that the Nazis had seized in Vienna and Paris and the Russians then captured in their drive to Berlin.

Ferguson has read so widely that he can credibly reconstruct the world in which the Rothschilds operated—in this volume, until about 1848. It is an unfortunate oddity that his American publisher has divided his book into two volumes, this being the first, while his English publisher has issued the complete work as *The World's Banker*, carrying the story to 1915. Ferguson has drawn also on many of the great writers of the time to give us a sense of the great Rothschild drama, and he supplements their evidence with well-chosen illustrations. He writes impeccably, and with empathy. (He describes himself as an atheist of Calvinist background; and Max Weber and Herbert Lüthy have taught us that Calvinists have a special dispensation for success in capitalist enterprise.) This is a major achievement of historical scholarship and historical imagination. Ferguson's work reaffirms one's faith in the possibility of great historical writing.

Ferguson aims "to supplant Rothschild mythology with historical reality, in so far as that can be 'reconstructed' from surviving documentary evidence." The past is often more dramatic and always more complicated than the myths suggest. Such is the case with the Rothschild empire. Mayer Amschel began his business in 1765 and amassed a fortune despite and because of the revolutionary upheavals that beset Europe at the time. In 1810, two years before his death, he announced the creation of a new partnership, M.A. Rothschild and Sons, involving at first only three of them, the youngest son, James, to become a partner only upon his maturity, and Nathan, already established in London, to enter later as well.

Nathan, who was born in 1777, is the principal figure in Ferguson's book, the pillar of the Rothschild empire: "the commanding general," as his brothers called him after the father's death. He began as a textile merchant and occasional smuggler in Manchester, who bested his competitors by offering lower prices, and by settling for a lower profit margin but a higher volume of business. In the beginning, the Rothschild fortune depended on unremitting attention to every opportunity, however small; the great coups came later. Ferguson speaks of Nathan's "burning aggression and cool calculation." If ever there was such a thing as "economic man," I think it must have been he. In 1810, Nathan moved to London and began his spectacular career as a banker. Meanwhile the brothers diversified geographically: Salomon to Vienna, Carl to Naples, and James to Paris, where after Nathan's death in 1836 he became the most notoriously powerful Rothschild.

The five brothers were bound in filial loyalty to their father's injunction, and to subsequent contracts, that they operate as partners, each with a specific share in the family fortune. Their rise to preeminence as bankers depended on honoring his demand for fraternal "concord," though these ties were often strained and frayed. All of the brothers were sharp, even brutal with each other,

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and with their nephews as well; but at critical moments they always heeded Mayer Amschel's injunction (which included the most absolute exclusion of all Rothschild daughters and in-laws from every aspect of the business). The Rothschilds were famously overbearing in their dealings with the rest of the world, in accordance with Mayer Amschel's Machiavellian dictum: "If you can't make yourself loved, make yourself feared."

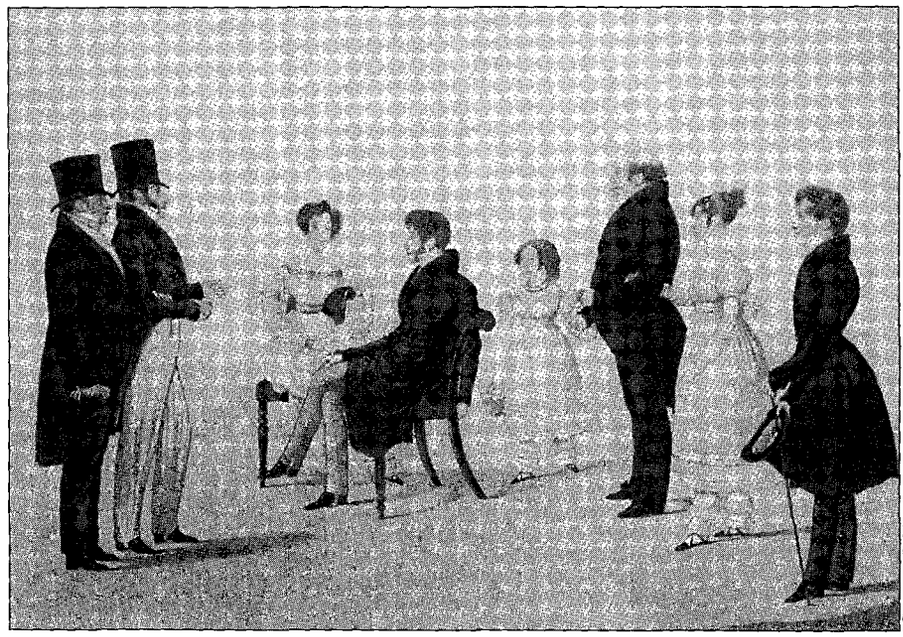
The Rothschilds were renowned for their intelligence, in every sense of the word. They built their own private network of communication, carrier pigeons and all, famously swifter than that of any government or rival. They received reliable news before all others, and when they shared their information with men in power, they exacted reciprocal favors. To their favorites in power, they extended all kinds of benefits; in harsher times, their favors might have been called bribes. They were routinely granted exceptional advantages, just as the Rothschilds expected similar service from their agents. The house treasured inside information—hence the almost obsessive concern with speed and confidentiality. Many of the letters cited by Ferguson were written in Judendeutsch, or German in Hebrew characters. Ferguson had them transcribed for the first time, "making available . . . a 'virgin' historical source of the very first importance."

Ferguson rightly concentrates on the fundament of the house, that is, on business; and he does so expertly and in great detail. He depicts Nathan's rise from "rags to riches," from the start in Manchester to the triumph in London in 1825, when he enabled the Bank of England to meet its cash obligations. The strength of the house, demonstrated over and over again, was the bond among the five branches: Ferguson sees them as the first "multinational," as the dominant traders in the bond and bullion markets, as bankers to Europe's leading governments (extending their reach even to the Holy See, for which in the 1830s they arranged a £400,000 loan).

The Rothschilds lived by dealing in public finance, by placing and speculating in government securities—hence they were tied to the political vagaries of a Europe that thought itself forever on the brink of war and revolution. I once wrote of great bankers that they were diplomats in mufti, but the Rothschilds had a preeminent (if unofficial) position in European diplomacy. Ferguson takes us through the whole gamut of international crises with which they had to contend, principally between 1815 and 1848. Often the Rothschilds served opposing sides: during the wars against Napoleon they made a huge fortune transferring funds to Britain's continental allies while dealing with Napoleon's minions as well. Later they became known as the bankers of the Holy Alliance, the conservative powers, especially Austria and Russia, that sought to throttle liberal stirrings that they feared might undermine the Peace of Vienna. Salomon was exceptionally close to Metternich and his counselor, Friedrich von Gentz. James was of necessity close to the restored Bourbons, and in the revolution of 1830 swiftly switched to the "bourgeois" king Louis Philippe; in fact, the *juste milieu* of the Orleanist Dynasty was most congenial to him. Nathan forged close ties to Tory governments, but gradually grew more Whiggish, as the Whigs gained in power and supported the emancipation of the Jews.

According to Ferguson, the Rothschilds came to favor constitutional regimes as being the most reliable masters of public debt. They were pacifically inclined: wars brought confusion and decline to the market. James in particular had a horror of war as likely to engender domestic upheaval; he had learned the French lesson about the connection between war and revolution. The Industrial Revolution, on the other hand, offered them new entrepreneurial opportunities. As capitalist bankers they were involved, on shifting sides, in the Spanish civil wars of the 1820s; they also acquired a controlling interest in Spain's quicksilver mine. An interest in Portuguese finance led to involvement in Brazil, and later in Latin and Central America generally. They discovered what all empire-builders discover: one venture leads to another, and expansion is ineluctable. To New York, though, they sent August Belmont, an agent who proved unreliable. "The United States," writes Ferguson, "despite its huge potential and allure, was a challenge to which the Rothschilds never quite rose."

In the 1830s, the continental Rothschilds began to take part in Europe's greatest transformative enterprise: railroad building. A decade later, they "had firmly established themselves as the preeminent financiers of continental railway construction." It began as a hesitant leap into a hugely expensive, gigantic business. James's often critical friend Heine thought the new mode of transportation as important as the discovery of America or the printing press.



Courtesy Viking

THE MARRIAGE OF CHARLOTTE AND ANSELM VON ROTHSCHILD
BY RICHARD DIGHTON, 1830

Salomon's *Nordbahn* from Vienna to Bohemia, and James's participation in building the Paris-Brussels line, were early highlights of Rothschild involvement in industrial capitalism. London contributed much of the capital, while continental governments (unlike the British in railroad building) contributed vital funds and guarantees. In June 1846, amidst huge fanfare, James celebrated the opening of his line. A month later, however, a terrible accident occurred on the same line, involving many fatalities, and the press lashed out against the Rothschilds, accusing them of being more concerned with profits than safety. The public storm against the callousness of capitalism anticipated Ibsen's play *The Pillars of Society*. The Rothschilds were pilloried as greedy Jews.

Ferguson understands that the story of the Rothschilds is a central part of the

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history of European Jewry, but he has to deal with the latter in disparate parts. For the first generation of Rothschilds, Jewishness was a given, a divinely decreed element of their being, as natural as the air one breathes. They had contempt for those around them who converted to Christianity, such as, for example, members of the distinguished Mendelssohn family of Berlin bankers. They shunned such converts in their dealings, though James treasured his friendship with Heine, who had converted in 1825.

The family had begun life under all kinds of social, political, and economic disabilities, but the Austrian emperor ennobled them in 1817 and in time the family came to collect, and occasionally solicit, all manner of honors, medals, and offices. They intervened on behalf of oppressed "co-religionists," and they assumed that their own success could pave the way for other Jews. While they observed the practices of the faith differently, they all followed the imperatives of charity. In the beginning, they supported organizations that helped sick or needy Jews. Ferguson's next volume will tell, presumably, of the immense philanthropic enterprise of the Rothschilds in Palestine and later in Israel, as well as in many non-Jewish causes. Rothschilds detested *schnorrers*; they managed their largesse with autocratic punctiliousness.

Jewishness bolstered the family's preference, almost its prescription, for endogamy, which after all preserved both the faith and the family capital. To serve God and Mammon simultaneously has long been a pleasing illusion for the rich. The family intermarried at the beginning and continued to do so selectively. (The same names reappear in different generations, and Ferguson's genealogical table is a great help.) The most illustrious examples were James, who married his much younger niece Betty, and Nathan's son Lionel, who married Carl's daughter Charlotte. Arranged marriages were the custom of the day—and were, of course, prescribed for royalty. In Ferguson's view, the arranged Rothschild marriages were relatively harmonious. Endogamy certainly heightened the sense of solidarity.

Endogamy also reinforced an extraordinary misogyny in the family. Rothschild women were formally excluded from any participation in the family business, and they had no voice or share in it. (Neither did any non-Rothschild husband.) Wives were meant to facilitate the social rise of the family, but some of them were outstanding in their own right. The mother of them all, Gutle—Heine compared her to Napoleon's mother—stayed in the original if enlarged abode in Frankfurt; the others presided over ever more spectacular domains. Betty and Charlotte were the most gifted Rothschild women of their generation. Ferguson cites a new study that argues that Rothschild women in general were superior beings as compared to their male relatives. Capital can be gender-restricted, but not talent.

The Rothschild tradition was much harder on women than the prevailing custom of the time. The women had their social obligations and their privileges: celebrated friends of the family, Rossini and Chopin among them, served as music tutors to some of them. But Ferguson rightly dwells on the first instance of double disobedience: three years after Nathan's death in 1836, his daughter Hannah Mayer followed the command of her heart and not of her family, and married a gentile, Henry Fitzroy, and converted to Christianity. She became an outcast, a non-person, an object of malice. Her misfortunes, and they were severe, were regarded as just punishment for her apostasy, just as the family's success bespoke God's blessing: He, after all, was a silent partner in the great enterprise.

The Rothschild triumph epitomized the astounding progress in the condition of the Jews in nineteenth-century Europe, a social leap of perhaps unprecedented magnitude. Their success was intertwined with spectacular social ambition and ostentation, though it began in a modest liberation. In 1811, Mayer Amschel's oldest son Amschel bought a house in a Frankfurt suburb, and later added a garden; the French occupation had lifted the ban on Jews owning real estate. Ferguson captures the joy that Amschel felt at being in the garden, even sleeping in it—in the open at last—and he rightly sees this pleasure as the beginning of the Rothschild passion for horticulture.

The path from modest pleasure to pomposity and glitter is splendidly caught in these pages. The Rothschilds became great collectors of mansions and chateaux, fabulously and extravagantly decorated, including the great picture galleries of Rembrandts and Titians; the *objets d'art* (which their agents were also expected to supply) were bought for status and investment, as cheaply as possible. They wined and dined their newly-found equals, royalty itself. In the 1970s, when I was allowed a private visit to the fabled Ferrières chateau near Paris, I discovered three volumes of *livres de chasse*, the first beginning with what must have been Baron James's first great hunt, with Napoleon III as the guest of honor—and the rest of the cabinet in attendance. Ferguson is right: they were more like royalty than aristocracy. They knew their worth, and also that it was unprecedented. Nathan died the richest man in England; Ferguson suggests, by plausible extrapolation and argument, that in his time he was richer than Bill Gates is in ours—and, I would add, far more interesting and appealing.

With such wealth and such power, it is no wonder the Rothschilds seemed to exemplify the popular view that Jewry and capitalism were synonymous, that Jews embodied capitalist virtues and vices more powerfully than other people. This certainly was also the view of the two preeminent converted Jews, Heine and Marx. Not surprisingly, then, the Rothschilds became the favorite target of anti-Semites. We do not have a balance sheet of the advantages and the disadvantages to Jewish life of the Rothschild presence in the world. But their help to Jewry, politically and philanthropically, was enormous, and it was destined to grow after 1848. Of course, they were a gift to anti-Semites: how better to demonstrate the golden power that ruled and robbed the world? But one could argue that they were more a convenience to the anti-Semites than a necessity, for the prejudiced would have pointed to instances of Jewish power in modernity everywhere. As Richard Hofstadter pointed out long ago, paranoids love "facts" that sustain their fantasies.

The house of Rothschild was not only about money. It was and is about life and mind, about politics and art: this is a novelist's world. Thus Ferguson rightly sets out to reconnect what historians' excessive specializations have torn apart: economic, diplomatic, political, and cultural history. Admittedly he has chosen a subject that invites efforts at *histoire totale*, an altogether rare scholarly genre, of which David Landes's *Bankers and Pashas: International Finance and Economic Imperialism in Egypt*, which appeared in 1958, was a pathbreaking example. (Landes was a mentor to this book.) And the Rothschilds had the inestimable gift of recognizing and cultivating early the most talented people in all realms. As intuitive talent scouts, the London Rothschilds bet on Disraeli and on Churchill before others had done so. Their choice of Niall Ferguson for an "authorized" yet independent historian shows that their knack still serves them well.

Anecdotes about the family abound, and Ferguson tells some. I will add another. In her old age—she died in 1849, at the age of 96—Gutle consulted the greatest medical authority, complaining that "I don't feel well." The doctor found no malady, but her complaints persisted,

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and he finally exclaimed, "Madame, I can't make you any younger." This was the Rothschild reply: "I didn't call you for that. I called you to make me older." By deepening our knowledge of the family, Ferguson's splendid book extends the family's remarkable life, which in any case has continued to flourish in the lives of illustrious descendants of both genders and in many fields.

FRITZ STERN is the author of *Gold and Iron: Bismarck, Bleichröder, and the Building of the German Empire* (Vintage).

For Our Eyes Only

BY REUEL MARC GERECHT

Secrecy: The American Experience by Daniel Patrick Moynihan

(Yale University Press, 262 pp., $22.50)

In 1985, the chief of the Soviet-East Europe Division of the CIA's Clandestine Service liked to entertain junior officers with lectures on America's covert triumphs over the Soviet Union. We—young would-be operatives and analysts who had entered the Central Intelligence Agency in the mid-1980s—were honored and thrilled, of course. This proud, eccentric maestro of the CIA's shadowy duel with the evil empire had deemed us worthy of a look into the inner sanctum. Many of us, particularly the case-officer trainees destined for the Clandestine Service, had come to Langley because we wanted to be on the cold war's front lines. We wanted to be privy to the national-security secrets, to the inside story of how the world really worked.

But nothing demolishes operational hubris and loquacity more than a mole. Aldrich Ames, a CIA counterintelligence officer who turned traitor in April 1985, gutted the Agency's East Bloc operations. The Clandestine Service's best Soviet agents disappeared, or were doubled. The chief's cocky openness diminished. In its stead we often encountered fearful, quick monologues about the urgent need for an American equivalent of the British Official Secrets Act—the law of 1889, punitively enhanced by Parliament in 1911, that effectively prevents the British press from writing much about the security and intelligence services of England. Everything had fallen apart, and senior officers in the Directorate of Operations, the official name of the Clandestine Service, were terrified that the outside world would find out.

They need not have worried. The press did not learn about the loss of agents until Ames was arrested in February 1994. Congressional intelligence oversight committees also failed to probe tenaciously the disaster of 1985 and its counter-espionage implications until years later. (CIA officials did not encourage the committees to think about moles.) The FBI, which has responsibility for counterintelligence inside the United States, was largely kept in the dark until 1991. A decade after the disaster, the chief—viewed internally as being one of the most culpable officers in the fiasco—retired unpunished, on full pension. He would have been fired, some senior officials assert, if he had not retired first; if so, he would have been the only officer dismissed for this failure.

Though not as iron-clad as the British version, American bureaucratic secrecy held firm. The Soviet-East Europe chief—and Ames—survived professionally unscathed perhaps the worst year in the history of the Clandestine Service. Between 1986 and 1994, other East Bloc agents would fall victim to Ames and the Operations Directorate's aversion to soul-searching. The secrecy of the institution ironically proved a far more lethal threat to the Clandestine Service's foreign agents than press exposés and congressional probing.

Daniel Patrick Moynihan's new book is a double-barreled indictment of the uses and abuses of secrecy in the government of the United States. A member of the Senate Select Committee on Intelligence from 1977 until 1985, and chairman from 1995 to 1997 of the congressionally-created Commission on Protecting and Reducing Government Secrecy, Moynihan is at his best when he dissects the intelligence community's mistake-hiding "culture of secrecy," which allowed Ames, who was a rather sloppy mole, to thrive.

An accomplished social scientist above all else, Moynihan proves in this witty,

The Global Market

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often personal, somewhat desultory book that Max Weber's hundred-year-old observations on the darker side of state power apply to the United States. The first Weber-Moynihan rule is that secrecy married to bureaucracy reproduces promiscuously. Federal employees in the American government classified 5,789,625 pieces of information in 1996, a 62 percent increase from 1995. The cold war is long over, yet the CIA and the Pentagon—the two accounted for 96 percent of all classified documents in 1996—churn out ever more secrets.

Moynihan is aghast at how the modern national-security state has perverted the traditionally open character of American governance, where even routine congressional discussions of foreign policy take place in closed chambers because "secret" briefings have become the norm. The American government has become, according to Moynihan (borrowing from Weber), too often an "administration of 'secret sessions': in so far as it can, [the national-security bureaucracy] hides its knowledge and action from criticism ... [and] naturally welcomes a poorly informed and hence a powerless parliament—at least in so far as ignorance somehow agrees with the bureaucracy's interests."

And what has been in the bureaucracy's interests has often been, in Moynihan's view, devastating to the interests of the United States. For the baleful effects of excessive secrecy go far beyond the fearful parochialism that allowed Ames to flourish. According to Moynihan, the closed, classified world of American intelligence seriously exacerbated America's cultural wars and, worse, misled the government during the cold war, wasting hundreds of billions of dollars on unneeded arms. The American national-security state, born in World War I and risen to maturity in the war against communism, inevitably acquired features typical of undemocratic societies. "East and West paid hideous costs," Moynihan writes, a little coarsely, "for keeping matters of state closed to the people whom the states embodied."

If it were not for secret-loving bureaucrats in the National Security Agency, the CIA, and the FBI, argues Moynihan, America's political leaders would have known in 1948 the treasonous truth about Alger Hiss and Soviet espionage in the United States—which was a real but manageable problem, in Moynihan's view. Yet not even President Truman knew that the Army Signals Intelligence Service, the forerunner of the National Security Agency, had sufficiently broken the code used by Soviet intelligence inside the United States to identify several American agents working for Moscow. General Omar Bradley made the decision not to tell Truman what Venona, the code name for the deciphered intercepts, had revealed. This fact is an amazing and depressing discovery by Moynihan, who found the October 18, 1949 memorandum recording General Bradley's decision to keep the president in the dark.

For Moynihan, this was the essence of American secrecy run amok: good men doing stupid things because they had imbibed the corporate, unaccountable, amoral elitism of the modern national-security state. What would Truman have done differently if he had known that Hiss was a traitor? Moynihan answers damningly: he might have done nothing less than prevent the whole McCarthy melodrama by proving, through publication of the Venona evidence, that the government was well aware of Soviet penetrations and was effectively countering them. McCarthy's hyperventilated and delusional witch-hunt could have been aborted, and the American left would have been forced to deal with the reality of Soviet espionage and conspiracy. But this did not happen. National-security bureaucrats chose to protect "their" secrets—even though the NSA and the CIA knew probably as early as 1951, and certainly by 1962, that the Soviets knew all about Venona code-breaking. Kim Philby told them.

After fixing much of the blame for McCarthyism and the subsequent saga of anti-Communism and anti-anti-Communism on the intelligence community, Moynihan goes even further. If it were not for decades of excessive secrecy in the CIA's Soviet analysis, Americans could have avoided the defense budgets—particularly during the Reagan administration—that have saddled the country with seemingly endless national debt. According to Moynihan, this profligacy flowed in great part from years of CIA overestimations of the Soviet Union's economy. Langley had forgotten the elemental truth that George Kennan had articulated early in the cold war: that the Soviet system was economically and morally dysfunctional and destined to collapse. Or, as Moynihan puts it, "one administration succeeded another, most documents, studies, and other informed assessments [after Kennan's] were classified.... Policy planners moved about in a fog of secrecy so thick that they did not entirely recognize when they had changed directions."

Any Western visitor to the Soviet empire, Moynihan complains, could have refuted Langley's nonsense about the durability of Communism. The Senator approvingly quotes the commentary of General Lee Butler, commander of the U.S. Strategic Command from 1990 to 1994, who, after his first visit to the Soviet Union in 1988, realized that the enemy was not a modern, functional, industrialized country: "It all came crashing home to me that I really had been dealing with a caricature all those years." Moynihan takes a sharp jab at former Director of Central Intelligence Robert Gates, who rose at the CIA and at the National Security Council primarily as a Soviet analyst, for his eagerness to point out the Soviet Union's power without also pointing out its debilitating weaknesses.

Moynihan's assessment of the harmful effects of the routinization of secrecy in American government is trenchant, but it is often overstated. It is hard to credit his thesis about the consequences of official secrecy as an explanation for the course and the cost of the cold war, or for the torments of McCarthyism. In his distaste for the "culture of secrecy," Moynihan misses the most salient feature of America's experience with bureaucratic secrecy: on the really big issues, it really didn't matter.

The CIA published some amazingly stupid intelligence estimates on the viability of socialist economies, but it was hardly alone in propagating such opinions about the former Soviet empire. Many scholars, particularly on the left, failed to see that the Soviet experiment was doomed, even though many of them had traveled behind the Iron Curtain—unlike most CIA analysts—and had never read a top-secret document in their lives. Like Reagan, Moynihan never lost sight of the inevitability of the Soviet Union's demise; but most people did. Indeed, it was not so long ago that talking skeptically about Soviet survival was seen as silly, if not extremist, among Democrats and Republicans alike.

It was not excessive secrecy that was responsible for the CIA's unsound analysis of the Soviet Union. It was nothing less than the American character, particularly its tendency to project its own ideals and virtues upon others; and it was also America's achievement in higher education, where macro-economics reigned supreme. The most damning aspect in the CIA's miscalculations of the Soviet economy, as Moynihan admits, was its ingenuous use of overt Communist statistics.

Though Moynihan is often in high professorial dudgeon about the calamitous effects of government secrecy, he does occasionally catch himself. Certainly he does not deny that by the 1980s some voices were expressing profound skepticism about analysis and statistics

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that suggested that the Soviet Union was not economically in serious trouble. Moynihan knows that influential Reagan-era neo-conservatives did not base their view of American security and American defense spending on a rosy analysis of the Soviet economy. Hawkish scholars and officials such as Richard Pipes, Edward Luttwak, Henry Rowen, and Richard Perle were profoundly alarmed by the magnitude of Soviet defense expenditures precisely because the USSR was an economically dysfunctional society that allocated an enormous slice of its GNP to the military—which was the only real trump behind Soviet foreign policy. As Moynihan himself observes, satellites are our finest intelligence tool, and by the mid-1970s they were taking pictures of an ever-increasing number of ever-more sophisticated Soviet missiles, submarines, planes, and tanks.

The 1970s story of the Team B evaluation of the CIA's Soviet analysis, in which Richard Pipes and a group of outsiders produced a withering examination of Langley's estimates of Soviet military expenditures and production, damages Moynihan's tight linkage between secrecy and profligacy. By the early 1970s, a lot of people no longer had faith in the CIA. If bureaucratic secrecy had suppressed or erased the American impulse to self-criticism, if senior American officials had been wandering gullibly in a fog of classified documents, then there would have been no Team B. Moynihan might argue that Reagan's defense expenditures were unnecessary and economically ruinous, but he cannot argue that the Reagan administration was a secrecy-addicted slave to decades of erroneous CIA analysis. (It is distressing that Moynihan—a scholar and a politician who isn't known for running from debate—does not even mention the Team B episode.)

We must also wonder about Moynihan's complaint that intelligence secrecy exacerbated, or was even responsible for, the clash between the left and the right in American politics and culture after World War Two. It is certainly scandalous that Omar Bradley presumed to restrict the access of President Truman to any classified information; and it is amusing to speculate on what would have happened if Truman had released the Venona information about Hiss and Chambers. But such amusement is not good history. Politics and culture (as Moynihan knows) are complicated and over-determined. It is reasonable to conclude, therefore, that if the Venona revelations had been made public, not much would have been different. Indeed, even today, after the Venona traffic has clearly revealed Hiss and the Rosenbergs to be traitors, discussion of Soviet penetration of the American government, the American university, and the American entertainment industry is still incendiary in many quarters. Any factual proof that Richard Nixon was right about Chambers and Hiss would surely have been unpalatable to most of the American left in the 1950s—even if a Venona-armed Truman had entered the battle on Chambers's side.

In his book Moynihan limns a picture of American officials genuflecting before an altar of classified documents, but the truth is more often the opposite, which is what you would expect in a vibrant democracy, where officials—long before the Internet—have had a wide variety of informal channels of information and opinion. For better or worse, "secret" intelligence is easily ignored in Washington, as it is elsewhere in the Western world. When I was a case officer in Paris in August 1991, Shahpur Bakhtiyar, the Shah's last prime minister, was assassinated. Within a week, somebody somewhere leaked a top-secret intercept to *L'Express*. It was absolutely clear to all that the Islamic Republic's intelligence service had murdered Bakhtiyar; but if you had sampled Iran-watchers in and out of government in France, Great Britain, or the United States—as I did—you would have found that those who were hopeful about the reforming Iranian President Hashemi Rafsanjani were strongly disinclined to accept the evidence.

Every intelligence officer has such stories. CIA analysts and operatives love to complain about having "their" information belittled or ignored by policymakers. Their complaint is often justified—far too often for Moynihan's theory of bureaucratic secrecy catastrophically corrupting policy to keep us awake at night.

Though Moynihan grasps the pernicious nature of official secrecy, he underestimates how the American character has combated its own corruption. The government of the United States may produce millions of secrets each year, but officials in the executive and legislative branches leak bushels of them constantly. As nearly all cables at the CIA are at least "Secret," and the vast majority of telegrams at the State Department are at least "Confidential," it is virtually impossible for an unclassified conversation with an official of either agency not to mirror classified traffic. And the "secrets" leaked are usually about controversial foreign policy questions; they are very rarely about the identities of CIA agents or other potentially lethal compromises of sensitive information.

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This routine, almost professional leaking is partly the inevitable result of a system of excessive classification and compartmentalization of information. Bureaucrats are close-minded the world over, but American bureaucrats are less insular and parochial than others. Classify six million pieces of paper, especially about burning foreign-policy questions on which gentlemen can disagree, and American national-security bureaucrats—not to mention our elected representatives and their staff—will leak. But for this, *The New York Times* and *The Washington Post* would have little to report.

Moynihan sees leaking—the inherently superior capacity of the executive branch to leak—as a menace to good government. Rightly concerned about congressional prerogatives and equal justice under the law, Moynihan worries about the executive role, enshrined in the National Security Act of 1947, to create and to protect classified national-security documents. Certain congressional committees have the right to classify their work, but their authority is minuscule in output and intent, and it is essentially derivative from their executive oversight responsibilities. The executive branch thus may classify and unclassify—that is, leak—as it sees fit. Or, as Moynihan wryly puts it, "the Director of Central Intelligence ... [is] responsible for protecting intelligence sources and methods from unauthorized disclosure. But there are no penalties for not doing so. If there were, half of our national security advisors would have spent time in jail."

Translated into realpolitik: the executive branch may play dirty against opponents who have no secrets to leak, or who have such secrets but do not leak them because they fear executive-branch retaliation. In Washington, D.C., a security clearance, which only the executive branch may issue, is the *sine qua non* for employment in foreign affairs, intelligence, or defense. Secrecy and loyalty are two sides of the same coin. And it is human nature—especially among security and intelligence types—to confuse dissent or unorthodox behavior with disloyalty.

In his youth, Moynihan himself came close to transgressing acceptable standards. In a delicious footnote—this book has many entertaining and mordant asides—Moynihan recounts reviewing his own 561-page FBI file after he was first elected to the Senate in 1977. He discovered in a confidential report by the Air Force in 1952 that he was suspected of having "possible communist tendencies." In 1951, you see, Moynihan had worked as a civilian at an Air Force base outside London, while he was in England on a Fulbright scholarship; and in this job he was observed to have (1) once carried a copy of the Communist *Daily Worker* to his office, (2) regularly visited a theater believed to be run by Communists, and (3) loudly remonstrated against another Air Force employee who advocated shooting Communists. According to the report, "MOINYHAN [sic] maintained his defense of communism ... [and seemed] sincere in his defense of communism and they [Moynihan's colleagues] gained the impression that MOINYHAN [sic] was either a communist or a communist sympathizer."

Nearly fifty years later, Moynihan's security encounter seems almost quaint. Yet he suggests that his own security misstep during the cold war-addled 1950s is not really specific to its time and its place. The equivalent can happen to anyone at any time, because disloyalty is always a controlling fear in a national-security state. In times of war, to be sure, it appears with special virulence, but suspicion of outsiders—that is, of those who don't have a security clearance—is an inexorable reflex among those who have been cleared.

Moynihan is right about the constant potential for political and cultural abuse in America's national-security system, even if he excessively dramatizes the danger. As in Moynihan's experience in 1951, this abuse is usually personal and petty. Security officers in the American government are not known for being particularly cosmopolitan. If one is well-schooled, curious, and well-traveled, it is not hard to appear a little unorthodox to security officials, who naturally prefer to see things uncomplicated, clean-cut, and all-American.

Inside any bureaucracy, especially a closed one, equal justice is a constant challenge. Finding senior Clandestine Service officers willing to discuss the arbitrariness, the pettiness, and the occasional surreality of the "DO system" is hard. When I was in the Directorate of Operations, senior case officers would regularly joke about how their periodic counterintelligence polygraph examinations were "inconclusive"; but junior and mid-level officers did not similarly amuse themselves. All clandestine service officers must submit their resignations when they marry foreigners. Some officers, usually more senior ones or those young operatives who are securely part of the "brotherhood," are never questioned about their marital decisions. Others are questioned, even when they marry Brits. The Agency's Publications Review Board, which clears articles and books of former and current CIA officers, still requests authors to delete references to Camp Peary, near Williamsburg, Virginia, as "the Farm" because Camp Peary's CIA identity is "classified." (If Langley can find a single literate terrorist, foreign intelligence service, or denizen of Williamsburg who doesn't know that Camp Peary is a CIA training facility, I'll eat the "Department of Defense" plaque on the camp's front gate.)

But the CIA's mistake-hiding culture can sometimes escalate quickly into affairs in which correct bureaucratic process and internal accountability collapse. A Near East division case officer—one of the finest American intelligence officers to serve in the Middle East—found himself confronted in 1997 with an unscheduled "medical" examination after releasing, without authorization, information to the Senate Select Committee on Intelligence and the Justice Depart

Oh General, Oh Spy, Oh Bureaucrat!

Trained in tactics, war games, cold war, cold feet,
Baroque what-ifs against a failing East,
And History a venality of names
By which Max Weber, Calvin, or King James
Would profit faith into bureaucracy,
Busyness, business, hope's tucked property—
He made long lists, committeed the abyss
Of time unbuttoning a hidden proof
Discovered like an army in which gain
Is truculence, promotion, sometimes truth,
But elsewhere only soldiers on those trains
That ended derailed, deserted, and sometimes missed,
By he whose job was now forgetting this.

WYATT PRUNTY

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ment indicating that senior Clinton administration officials may have been engaged overseas in improper campaign-finance activities. The officer involved had a reputation for being a maverick, but he was not known for being nuts or in poor health. He resigned.

And once upon a time a damning counterintelligence review of one of the CIA's biggest espionage failures in the Middle East disappeared soon after it was published. Some of the Near East Division's most senior officers were deemed guilty of gross negligence, which cost the lives of numerous foreign agents. The most culpable officers nonetheless quickly rose to the top of the Clandestine Service, and no one was so impolitic as to remember—let alone try to find—the scathing review that for a moment proved that the CIA could police itself and honor the memory of its dead agents. Needless to say, congressional oversight committees never were given an accurate understanding of exactly what happened in this fiasco, which still haunts the CIA in the Middle East.

Richard Helms once remarked that we had to trust that "honorable men" were working inside America's intelligence services. For Moynihan, this obviously is not enough. In a bureaucratic system in which the "culture of secrecy" becomes "a belief system, a way of life," judgment blurs, even among the best of men. The United States has been very fortunate in that most of the men and women who have served in its security and intelligence services have been honorable, more or less. (J. Edgar Hoover is the awful whopping exception.) This is one of the reasons why the worst kind of abuses usually associated with intelligence and security services have not often occurred in the United States.

But Moynihan, who quite rightly does not trust individual integrity to withstand corrosive bureaucratic forces, believes that we must start to dismantle the government secrecy industry before it produces twelve million secrets a year. Still, he does not tell us how the forces of "openness" might shrink the multi-billion dollar bureaucracies involved in the collection of clandestine intelligence. This gives the conclusion of his book an unreal quality, which is unfortunate, since Moynihan has been an effective, down-to-earth legislator, who by his own admission gave the intelligence community pretty much what it wanted in funding during his vice-chairmanship of the Senate Select Committee on Intelligence. If Moynihan, with his deep understanding of the debilitating forces at work inside America's closed intelligence community, and with his acute awareness of the mediocrity of so much of what it produces, did not advocate smaller budgets for a smaller CIA, how can he expect lesser men in the Congress to do better? The answer to this question would have helped to explain why American intelligence remains so impervious to fundamental reform.

REUEL MARC GERECHT worked in the CIA as a case officer between 1985 and 1994. Under the pseudonym Edward Shirley, he is the author of *Know Thine Enemy: A Spy's Journey into Revolutionary Iran*, recently issued in paperback by Westview Press.

TRB *continued from page 4*

whom represent large constituencies but also have been connected to one another personally and professionally.

The men who wrote the Constitution were not so naïve as to suppose that an impeachment trial would have any other character. Indeed, they assumed the opposite, and attempted to structure the proceedings to encourage the maximum degree of impartiality, not to eliminate partiality altogether. Requiring a two-thirds vote for conviction, for instance, puts the balance of power in the hands of the most moderate members of the Senate, those most likely, by dint of character or lack of partisan fervor, to judge on the merits.

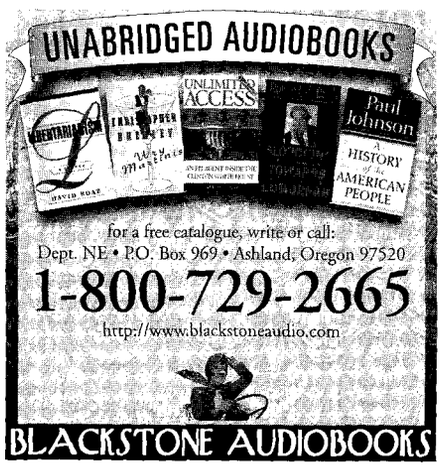
Another protection was the oath. But it is best thought of not as a literal or enforceable promise, as Hyde would seem to have us believe, but rather as a form of political cover available to those who might vote against their party in highly politicized cases. When Edmund Ross and six other moderate Republicans voted against their party to acquit Andrew Johnson in 1868, they could respond to critics by citing their oaths of impartiality. If any Democrat or Republican were to break ranks in the Clinton case, he or she could do the same thing.

Yes, Hyde is correct in noting that the swearing in of witnesses and the attendant sanction of perjury play a deterrent role against false testimony. But, if oaths are the rule of law's last line of defense, as Hyde says, then our legal system is already in deep trouble. It is precisely because oaths are so often violated that criminal and civil procedure include other safeguards—among them, cross-examination, which is how most attorneys smoke out false testimony, and the jury system itself. If a witness for either side in a case provides testimony that strikes the jury as false, that side will lose. This is the ultimate sanction against lying under oath, and by and large it works. (Indeed, if Paula Jones's case against Bill Clinton had ever gone to trial, and a jury had decided he was lying about what happened at the hotel in Little Rock, he would have been liable for thousands of dollars in damages.)

Ironically, it is the recent maneuvers of Republicans themselves that best demonstrate the absurdity of their insistence that the Senate trial is analogous to an ordinary one. The witnesses Republicans are clamoring to call have already testified before the grand jury, under circumstances that were wildly favorable to the prosecution—their lawyers were not present, there was no opportunity for cross-examination by the defense, and, in Monica Lewinsky's case, there was an immunity agreement that gave her every incentive to dish the most dirt on the president. If the record of *those* proceedings isn't enough to convict Clinton, it's hard to see what the Republicans hope to achieve by bringing the same characters into a setting where the president's lawyers can have a shot at eliciting favorable testimony from them—or, in the case of, say, Linda Tripp, where the president's lawyers can have a shot at bringing out the nefariousness of the witnesses against him.

Clearly, what the Republicans want is not only a legal breakthrough but also a political one—some Perry Mason moment on national TV where someone blurts out something so embarrassing or disgusting about the president that, politically, it becomes impossible for even Democrats to keep supporting him. And, if the Republican clamor for witnesses sounds a bit desperate, then the White House's protests against them sound a bit disingenuous. If even the Starr report couldn't shake public opinion, why would the American people change their minds just because they got to see Bob Barr grilling Betty Currie?

CHARLES LANE



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WASHINGTON DIARIST

Roll 'em

I AM NOT A REAL JOURNALIST, BUT I play one on TV. This, at least, is how I've been feeling lately, after a series of appearances on camera as a minor-league talking head. As anybody with cable television knows, magazine journalists are expected to moonlight as pundits for that *other* medium. This is particularly difficult for me because I write a feature once associated with the telegenic Fred Barnes. It is further complicated by the fact that I possess what is known in the trade as a "face made for radio."

MY RECENT APPEARANCE ON MSNBC is illustrative. When I arrived at the studio, the person who seated me in front of the camera told me makeup typically was not required. But a few minutes later, after the technicians got a look at me from the control room, a woman came dashing out with a makeup sponge and a compact. She smeared a heavy layer of foundation on my face, and disappeared. A minute later, she came dashing out again, to double the makeup application. By this time, I had acquired a radiant shade of orange, similar to the hue favored by Ernie of "Sesame Street" fame.

THE PROBLEM IS NOT JUST MY rugged good looks (my wife compares me, charitably, to Rick Moranis in *Honey, I Shrunk the Kids*). I also have a history of getting a red-faced, deer-in-the-headlights look when forced to address a crowd, and I have a trait often seen in the television business as a fatal flaw: I like to think before I speak. I am also cursed (blessed?) with an ink-stained wretch's disdain for broadcast, and 24-hour Monica certainly hasn't improved TV's image.

SO WHY DO I DO IT? ONE REASON IS my mother. Mom enjoys my appearances so she can prove to those friends and family members who do not read TNR that her son actually does hold down a job. TV is also good for the bottom line, I'm told. Perhaps the sight of me on screen, sweating, blushing, and stammering, will cause viewers to turn off their televisions and instead subscribe to magazines such as TNR. Actually, there is a certain business logic to TV appearances. Television reaches places magazines can't. A friend once told me she saw me on TV as she was stepping out of the shower, and I am quite confident she never reads TNR while showering.

IN THE BEGINNING, I WAS OVERLY honest about my awkward relationship with the screen. A few days before I was to do a weekend show on CNN, I let slip to a producer I met at a party that, on camera, I tend to look like the Albert Brooks character in the movie *Broadcast News* who perspired through his shirt. The next day, I got a call from CNN saying the station had a change of plans. Bummer. In those days, when I didn't get myself disinvited, I got myself sedated. When I was asked to tape a segment for "All Things Considered," one of my first radio engagements, I stopped at a bar for a drink before going to the studio. It was eleven-thirty in the morning.

THE 24-HOUR CABLE networks are not easily deterred, however. The scandal has made them desperate for bodies. We are witnessing the punditization of the common man. Ignorance of the subject is no automatic disqualification ("Wow, a real reporter," one Fox producer said to me, as if he had just come across a curious artifact). Throughout the Clinton scandal, I have seen young journalists, with neither sources nor insight, work their way from the wee hours of cable TV to the "Today" show without saying a single original thing.

GENERALLY, I PLAY THE ROLE OF fill-in face, when the more recognizable pundits are otherwise engaged. I have deduced this from the way I have been introduced on air, once as Dana Millbrook and another time as Donna Novak. I got a call from one network just before Yom Kippur last year. The producer was in a panic: turns out all his pundits were Jewish and nobody would appear. Dick Morris saved the day, making several appearances, I'm told. He's Jewish, too, but Fox must have beat God in overnight polling.

AT TIMES, NETWORKS HAVE TRIED what seems like a bait-and-switch routine to get me to go on the air. The booker asks what I would like to discuss, and I say something like "Social Security" or "Brazilian devaluation." That agreed, I smile into the cameras and get the same question the anchor has been asking all month, usually about Linda Tripp. Once, just after the November election, a network producer told me she wanted to do a segment on ballot initiatives. I studied Michigan's assisted suicide referendum, California's cigarette tax proposition, and even Maine's nude-lawn-mowing initiative (it passed). But, when the lights went on, the first question was about Henry Hyde. Nude lawn-mowing never came up.

I HAD YET TO LEARN THE FIRST rule of punditry: the answer needn't have much to do with the question. The secret, I gather, is to walk into an interview with two or three talking points, or sound bites, to be used in response to any question, regardless of relevance. The trick is to do it gracefully, so it doesn't come out like, "Well, I don't know about the situation in Kosovo, but how about those Broncos?" I still don't quite have the hang of it. Once, when asked about Monica, I declared: "The real issue today is the tax bill." The anchor immediately put a stop to this diversion.

CLEARLY IN NEED OF help (not to mention an ending to this Diarist), I persuaded TNR to get a "media consultant" to coach me. This consisted of a 45-minute session, in which the consultant taught me the basics (red tie, blue shirt, no drooling), put me on camera—and ripped my performance to shreds. "There's almost a sleepiness to your voice," she began. "There's a flatness. There isn't a physicality. There was no crackle." What I need to do, the consultant informed me, is "to communicate with your whole body," to "punch through with your voice," and to "create a franchise with the viewers." This is not actually that hard to do: it means smiling a lot and using phrases like "the big question is." After just a few minutes, the consultant found me "much more electric ... definitely more dynamic."

STILL, SOMETHING BOTHERED ME about this approach. The whole thing seemed a bit contrived, like stage acting. But assuming this phony personality is what it takes to make me appealing in TV land. "That's a sexy thing," the consultant said. (Hear that, Fred Barnes?) Worse, the danger is, the more TV I do the less time there will be for reporting and writing. If this keeps up, I will know less and less but say more and more on television. In other words, I will have turned myself into a genuine pundit. Who cares if there's no time left to write? I have crackle. I am projecting physicality. I am punching through. Get McLaughlin on the line—and make sure he has plenty of makeup for me.

DANA MILBANK

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